

1936, urging the establishment of a Federal housing agency and appropriation of necessary funds to enable such agency to aid local public housing agencies to develop low-rent housing programs; to the Committee on Banking and Currency.

10935. By Mr. DARROW: Memorial of the Philadelphia Board of Trade, opposing Senate bill 4174, authorizing the Interstate Commerce Commission to approve or disapprove of the consolidation or abandonment of carrier facilities of public service, etc.; to the Committee on Interstate and Foreign Commerce.

10936. By Mr. HIGGINS of Massachusetts: Resolution by the board of aldermen of the city of Chelsea, Mass., opposing admission to the United States of former President Calles of the Republic of Mexico; to the Committee on Foreign Affairs.

10937. By Mr. JOHNSON of Texas: Memorial of J. Webb Howell, chairman, agricultural committee, and Hon. W. S. Barron, chairman, legislative committee, Bryan-Brazos County Chamber of Commerce, Bryan, Tex., favoring House bill 12498; to the Committee on Agriculture.

10938. By Mr. LUDLOW: Petition of the Boonville (Ind.) Press Club to Members of Congress, urging that recognition be given the work of Hon. William Fortune in connection with the George Rogers Clark Memorial by the placing of a tablet inscribed with his name and his accomplishments in this cause in the memorial building at Vincennes, Ind.; to the Committee on the Library.

10939. By Mr. LUNDEEN: Petition of the Minnesota State Conservation Commission, urging the designation of Birch Coulee State Park in Minnesota as a national cemetery; to the Committee on Public Buildings and Grounds.

10940. By Mr. PLUMLEY: Petition of Lodge No. 717, Brotherhood of Railway and Steamship Clerks, Freight Handlers, Express and Station Employees, favoring the passage of House bill 11609; to the Committee on Interstate and Foreign Commerce.

10941. By Mr. DEROUEN: Petition of the Church of the Brethren, Roanoke, La., adopted at their 1935 annual conference, regarding war; to the Committee on Finance.

10942. By Mr. SADOWSKI: Petition of the Detroit Community Fund and board of directors of the Detroit Council of Social Agencies, suggesting a long-time relief program; to the Committee on Appropriations.

10943. Also, petition of the Detroit Housing Commission, Detroit, Mich., endorsing the Wagner bill; to the Committee on Banking and Currency.

10944. Also, petition of the Wayne County Council, Veterans of Foreign Wars, Detroit, Mich., protesting against the ruling of the Works Progress Administration perpetrated on veterans; to the Committee on Appropriations.

10945. By Mr. SCOTT: Petition of the Utopia Society of America, requesting Congress to institute an official investigation of the activities of the American Ambassador, Jefferson Caffery, for his lack of protection of the rights of American citizens in Cuba, and for his suppression of the real facts on Cuba; for his support of the bloody Fascist regime of Sergeant Batista; and demand the immediate freedom of thousands of political and social prisoners who are being held in Cuban dungeons; and demand the immediate recall of Jefferson Caffery as Ambassador to Cuba, and substitute a real representative of the American people as his successor; to the Committee on Foreign Affairs.

10946. Also, petition of the Central Labor Council of Alameda County, denouncing the action of officials of the United States Bureau of Reclamation who have required workmen to dry drill in seven silica rock tunnels located near Kenneth, Calif., thereby knowingly exposing these citizen workmen to the identical dust hazards of disease and of death that took its deadly toll in the Gauley Bridge, W. Va., tunnel; to the Committee on Agriculture.

10947. By Mr. TINKHAM: Memorial of the General Court of Massachusetts, favoring the permanency of the Civilian Conservation Corps; to the Committee on Appropriations.

10948. Also, memorial of the General Court of Massachusetts, relative to affording the privilege of entry into this

country to those persons who are being persecuted and discriminated against in Germany; to the Committee on Immigration and Naturalization.

10949. By Mr. TREADWAY: Resolutions adopted by the General Court of Massachusetts, favoring the permanency of the Civilian Conservation Corps; to the Committee on Appropriations.

10950. Also, resolutions adopted by the General Court of Massachusetts, relative to the entry into this country of certain persons from Germany; to the Committee on Immigration and Naturalization.

## HOUSE OF REPRESENTATIVES

FRIDAY, MAY 22, 1936

The House met at 11 o'clock a. m.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Merciful Father, invisible and yet the Eternal One, Thou art everywhere save in the hearts of Thy wicked children. Thou art in the majesty of the heavens and in the wide-spreading earth, in the beauty of the flower, in the radiance of the sun, and in the mellow light of the stars; may these challenge us to the highlands of thinking and living. Teach us to be conscious of Thy nearness, and so may we never be afraid. We pray that we may greet this new day with newness of joy. Help us to fill these hours with wise thoughts and generous deeds, and thus make human life a little stronger, sweeter, and richer. Inspire us to be brave and earnest to seize the opportunities of these passing days. In the Redeemer's name. Amen.

The Journal of the proceedings of yesterday was read and approved.

### MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Horne, its enrolling clerk, announced that the Senate had passed without amendment a bill of the House of the following title:

H. R. 11747. An act extending the time for making the report of the Commission to study the subject of Hernando De Soto's Expedition.

The message also announced that the Senate had passed, with an amendment, in which the concurrence of the House is requested, a bill of the House of the following title:

H. R. 8455. An act authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes.

### MEMORIAL TO OFFICERS OF THE IMMIGRATION AND NATURALIZATION SERVICE

Mr. LANHAM. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the joint resolution (H. J. Res. 439) authorizing the erection in the Department of Labor Building of a memorial to the officers of the Immigration and Naturalization Service and Immigration and Border Patrol who, while on active duty, lost their lives under heroic or tragic circumstances, with a Senate amendment, and concur in the Senate amendment.

The Clerk read the Senate amendment, as follows:

Lines 3 and 4, strike out "Director of Public Buildings and Public Parks of the National Capital" and insert "Director of the National Park Service."

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

### THE DISTRICT OF COLUMBIA APPROPRIATION BILL

Mr. BLANTON. Mr. Speaker, I ask leave to proceed for 2 minutes to deny a malicious falsehood that the Washington Post printed about me this morning, stating that I am unfriendly to the President of the United States, when I am as good a friend to the President as he has in this House.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.



Mr. BLANTON. Mr. Speaker, it is a fact well known to the Members of this House that the newspapers of Washington deliberately and maliciously play me up daily in a false light, simply because I am chairman of the subcommittee handling the District of Columbia appropriation bill and have refused to give them a \$5,700,000 contribution out of the United States Treasury. They are trying deliberately and mendaciously to put me out of Congress; but they cannot do it, as my constituents want me here.

Mr. Speaker, there is no man in this House more friendly to the President of the United States than I am. I was against the Wagner bill and against the Guffey bill, but that does not interfere with my friendly relations with the President. I may not always agree with the President, but I am his friend.

This was a malicious lie that the Post printed about me this morning. It is mad because I am one of those who will not give in to the Senate on all of the 87 amendments they have put on the House bill.

In order to get a bill and not deprive the District of Columbia of some new projects badly needed to which it is entitled, and which projects we gave to the District in the House bill, our House conferees yesterday, as a last resort, proposed to the Senate that if they would recede on just 3 of their 87 amendments the House conferees would recede on the other 84 Senate amendments. That was more than fair, but the Senate does not want a bill; its conferees, as usual, are trying to bulldoze the House, and we are not going to give in to the Senate on matters of fundamental principle any more. The Senate conferees and the Washington newspapers prate much about carrying out the President's Budget. If we held them to that there would be no Eastern High School, no Chain Bridge, no needed fire trucks, and no new police-court building, as none of them are in the President's Budget. They are not sincere in that foolish contention.

Mr. Speaker, on the other question of character education and communism in the schools, the House having refused to allow another \$78,660 to be wasted and misapplied by Dr. Ballou, and the Senate wants to waste this \$78,660, I already have the permission of the House, and there is printed in the RECORD a carefully prepared speech with much information on that subject.

I hope those interested will look on pages 6551-6568, where they will find ample evidence for keeping this \$78,660 out of the appropriation bill and for keeping communism out of the District school curriculum. Communism is something that ought not to be there. My colleagues will find ample reason for voting against the "sissy" bill next Monday, and for not repealing the law that stops communism in the schools.

Character is formed in the home under the direction of the father and mother and the family and not in a public school under the direction of teachers, and this Washington Post and these other Washington papers ought to quit lying about me because I am upholding the rights of the House of Representatives on the District of Columbia appropriation bill.

I ask every person who has access to the CONGRESSIONAL RECORD, and who may read my remarks, to turn back to page 6551 and read my speech printed in the RECORD, and they will then understand fully all the facts about the "red rider" and the "sissy" bill, which seeks to repeal it.

A DISTINGUISHED PHYSICIAN OF YORK, PA.

Mr. HAINES. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. HAINES. Mr. Speaker, 51 years ago in my district a young practicing physician, just 50 weeks out of school, administered the first oxygen gas ever administered to a human being. This is one of the great contributions to human welfare.

This gentleman is 74 years old today, and in the city of York distinguished citizens from far and near have gathered

to pay tribute to this fine man. Without taking the further time of the House, Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on this subject.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. HAINES. Mr. Speaker, I have asked the Congress to award a Congressional Medal of Honor to Dr. George E. Holtzapple, of York, Pa., for his great contribution to medical science and humanity.

On March 6, 1885, Dr. Holtzapple was called to the bedside of a Mr. Fred Gable, residing in Loganville, York County, Pa., who was suffering with pneumonia. He found the man nearing death from the ravages of this disease after all known methods had failed to help. Dr. Holtzapple, then only in his fifty-first week as a practicing physician, returned to his office, where he gathered together chemicals, test tubes, and a blow torch, and equipment to produce oxygen. Returning to the bedside of the victim, and with the help of Mrs. Gable, he produced the oxygen, and in 20 minutes the patient showed improvement and later recovered entirely.

As a recognition for his work there is now placed in the Army Medical Museum a sketch depicting the birth of oxygen treatment for pneumonia sufferers. The story of Dr. Holtzapple's introduction of the oxygen treatment is a tale of triumph by perseverance, science, and confidence over the ills of mankind.

It seems to me to be most fitting that the Congress should award such a medal during the lifetime of this great man.

Dr. Holtzapple was born in York County, Pa., on May 22, 1862. His ancestry goes back to the Revolutionary days. His father, a poor man, was first a shoemaker—when shoes were made by hand—and later a farmer.

He attended schools of his birthplace, graduating from the York Collegiate Institute. He took a course in philosophy at Lebanon Valley College, located in Annville, Pa. He was given a degree, doctor of science, by the Susquehanna University in 1925, as a special honor.

Dr. Holtzapple took his medical course at Bellevue Hospital Medical College in New York City, from which he was graduated in 1884 with the degree of doctor of medicine. Later he took post-graduate courses at Johns Hopkins Medical School, Baltimore, Md., and the New York Post-Graduate Medical School and Hospital. The first 16 years of his medical career were devoted to general practice. Since then his work has been confined to internal medicine. He has been given testimonial dinners by members of his profession in recognition of his services and contributions. He is consulting physician and president of the staff of the York Hospital, and for 24 years has lectured to nurses in training. He is former president of the York County Medical Society and is a member of both the American Medical Association and the American College of Physicians. For many years he has occupied a prominent place in the American Association for the Advancement of Science. During the World War he was the first physician to offer his services, so far as the section of our community is concerned, but could not meet the physical requirements and consequently was rejected. However, that did not stop him. He rendered great services at home; was chairman of the medical advisory board and was a member of almost every local committee. He was director in the York County Chapter, American Red Cross and chairman of the first-aid courses. This fine gentleman deserves all the honor that his generation can bestow upon him, while he lives.

As his Representative and at the direction of a great host of my constituents, I appeal to the Congress for the Medal of Honor, feeling that this fine gentleman richly deserves it. My bill, H. R. 5762, was before the House on the Private Calendar, but was objected to by two Members on the minority side, but my understanding is that these objectors wanted an opportunity to make further study of the bill. I have again appealed to the Committee on the Library, asking that this bill be included in its omnibus bill so that the House may again have an opportunity to pay tribute to one of



America's great contributors to human welfare. The Committee on the Library submitted the following report to accompany H. R. 5762:

This is a bill to authorize the President to present in the name of Congress a medal of honor to Dr. George E. Holtzapple, York, Pa., who on March 6, 1885, administered oxygen in the treatment of pneumonia for the first time on record, thereby saving the life of a human being and blazing the trail of one of the greatest achievements in medical science.

On March 6, 1885, Dr. Holtzapple was called to the bedside of a Mr. Fred Gable, then residing in Loganville, York County, Pa., who was suffering with pneumonia. He found the man nearing death from the ravages of this disease. After all known methods had failed to help, Dr. Holtzapple, then only in his fifty-first week as a practicing physician, returned to his office, where he gathered together chemicals, test tubes, and a blowtorch, and equipment to produce oxygen. He then returned to the bedside of the victim and, with the help of Mrs. Gable, produced the oxygen, and in 20 minutes the patient showed signs of improvement and later recovered entirely. Mr. Gable is living today. As a recognition for this work there is now placed in the Army Medical Museum a sketch depicting the birth of oxygen treatment for pneumonia sufferers as a lasting memento for his work. Edgar Erskine Hume, major, Medical Corps, United States Army librarian, under date of February 8, 1935, acknowledged this sketch in the following letter:

"It is to be regretted that our Government has no medal or similar award which can be made in recognition of the achievements of men like Dr. Holtzapple. We can reward bravery and distinguished service in the Army and Navy and in other branches of the Government service, but pure scientific merit goes on unrecognized by the United States Government, although appreciated by men of science. If we only had a medal for distinguished service in medical science, one might be appropriately awarded to Dr. Holtzapple."

The following is a summary of my own statement to the committee when I appeared before them asking them to report favorably my bill:

Some years ago Dr. Holtzapple wrote to the American Medical Association to find out if anyone had a claim prior to his in administering oxygen to pneumonia patients. The association replied that, according to its records, which go back to a period preceding Dr. Holtzapple's published article of the eventful night, March 6, 1885, which article appeared in the American Medical Association Journal in 1887, that he was the first, but suggested that he check the matter through the Surgeon General's office to make doubly sure. To Dr. Holtzapple's request he was informed that the office was not equipped to fill such requests, but that, if he liked, certain names of people capable of making such research would be furnished him. A Miss B. Cunradi, No. 2 Dupont Circle, Washington, D. C., was selected to make this research, and under date of October 23, 1925, Miss Cunradi wrote as follows:

"In accordance with your request, I yesterday went to the Surgeon General's library in order to make the investigation requested by you. The work of looking up the references on the treatment of pneumonia in the first published series of the library catalog consumed some little time, as in this series they are not classified according to form of treatment, such as occurs in the second and current editions of the catalog. I find that although your article of September 1887 is listed in the first series, as well as in the second, there is no other reference given in the first catalog for treatment of pneumonia with oxygen. Moreover, I verified the statement made by the American Medical Association and find that out of some dozen references contained in the second series of the catalog for treatment of pneumonia with oxygen, yours antedates all the others, the earliest of which falls in the nineties. As you may know, the first edition of the catalog covers the earliest publication contained in the Surgeon General's library until about 1888, while the second edition includes approximately the years 1888 to 1906. I think, therefore, that you can safely claim priority in the publication, at least, of information regarding this method of treatment for pneumonia."

In 1932 the Associated Press released a story of the incident that was published throughout the entire Nation, which statement was never challenged or denied. On July 14, 1932, the National Broadcasting Co. enacted a scene over the radio to an unseen audience giving a word picture of this first treatment, and pointing out how a young doctor manufactured oxygen at the bedside of a pneumonia victim in a little country home and saved the patient's life. That broadcast from coast to coast was not challenged or denied. Dr. Holtzapple's article in the New York Medical Journal of September 18, 1887, aroused the medical world, which led to a long series, extending to the present time, of articles by other scientists.

The script of the National Broadcasting Co.'s coast-to-coast broadcast will also be deposited in the medical library here in Washington to be a part of the record.

My colleagues, I believe that this Congress should approve awarding the medal of honor to this fine gentleman in recognition of his great contribution to humanity while he

lives, and I further believe that the evidence submitted after careful research will justify this action. Certainly we can do no less to those whose contribution to human welfare has meant so much. We have honored others for similar contributions, and it cannot be said that in making this award we are establishing a precedent. I am sure the Nation will approve all the honor we confer on this great man, Dr. George E. Holtzapple, of York, Pa.

The death of Great Britain's King, George V, brought to light a message of commendation which he commanded to be sent to Dr. Holtzapple when he learned that it was Dr. Holtzapple's discovery, made over half a century ago, that contributed to his recovery some years ago when he was suffering from pneumonia. The letter to this fine gentleman was prepared by His Majesty's private secretary on royal stationery which bears the name of Buckingham Palace and an engraving in red ink of the British Crown, the letter dated September 19, 1933, reading as follows:

The private secretary presents his compliments to Dr. G. W. Holtzapple and is commanded to thank him for his letter and enclosure of the 8th instant.

The royal letter was in response to Dr. Holtzapple's communication to the King congratulating him upon his recovery from a serious illness, the nature of which was similar to the one which brought about the York physician's discovery on March 8, 1885, while he was a doctor at Loganville, York County, Pa. The administration of oxygen gas to pneumonia patients has since become a universal practice and has contributed as much to human welfare as almost any other discovery by man. The British King's recovery was attributed to the administering of oxygen gas, and millions of other humans have had the benefit of this great discovery on the part of my constituent and friend Dr. George W. Holtzapple.

It seems to me to be both proper and right to honor this fine gentleman, for in doing this we honor one of our finest American citizens. Awards have been made to those who have destroyed other humans in defense of country and flag, but in this instance it is an honor to one who has contributed to the saving of human life. Mr. Speaker, I wish there was a parliamentary situation afforded to me to reconsider my bill in this session; but in the event that this cannot be done, I hope the Committee on the Library will report out with an affirmative report a bill in the next session. If reelected to Congress, I shall reintroduce my bill.

#### THOMAS JEFFERSON MEMORIAL

Mr. SMITH of Virginia, from the Committee on Rules, reported the following resolution (Rept. No. 2743), which was referred to the House Calendar and ordered printed:

#### House Resolution 522

*Resolved*, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of H. R. 12027, a bill "to authorize the execution of plans for a permanent memorial to Thomas Jefferson." And all points of order against said bill are hereby waived. That after general debate, which shall be confined to the bill and continue not to exceed 1 hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on the Library, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the reading of the bill for amendment, the Committee shall rise and report the same to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit, with or without instructions.

#### THE CITY OF LYNCHBURG, VA.

Mr. WOODRUM. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 4448) to authorize the coinage of 50-cent pieces in commemoration of the one hundred and fiftieth anniversary of the issuance of the charter of the city of Lynchburg, Va.

Mr. RICH. Mr. Speaker, reserving the right to object, I may say to my friend from Virginia that what Congress appropriates is one thing and where you are going to get the money is another. Now, we are going to make money by coining these 50-cent pieces in commemoration of another anniversary. This is, perhaps, the thirtieth bill of



this kind to come in here this session of Congress. It is surely the beginning of Democratic inflation, and I warn the Members of the House to beware. [Laughter and applause.]

There being no objection, the Clerk read the Senate bill, as follows:

*Be it enacted, etc.,* That in commemoration of the one hundred and fiftieth anniversary of the issuance of the charter to the city of Lynchburg, Va., there shall be coined at a mint of the United States to be designated by the Director of the Mint not to exceed 20,000 silver 50-cent pieces of standard size, weight, and composition and of a special appropriate single design to be fixed by the Director of the Mint, with the approval of the Secretary of the Treasury, but the United States shall not be subject to the expense of making the necessary dies and other preparations for this coinage.

SEC. 2. The coins herein authorized shall bear the date 1936, irrespective of the year in which they are minted or issued, shall be legal tender in any payment to the amount of their face value, and shall be issued only upon the request of the Lynchburg Sesqui-Centennial Association upon payment by it of the par value of such coins, but not less than 5,000 such coins shall be issued to it at any one time, and no such coins shall be issued after the expiration of 1 year after the date of enactment of this act. Such coins may be disposed of at par or at a premium by such association, and the net proceeds shall be used by it in defraying the expenses incidental and appropriate to the commemoration of such event.

SEC. 3. All laws now in force relating to the subsidiary silver coins of the United States and the coining or striking of the same, regulating and guarding the process of coinage, providing for the purchase of material, and for the transportation, distribution, and redemption of coins, for the prevention of debasement or counterfeiting, for the security of the coins, or for any other purposes, whether such laws are penal or otherwise, shall, so far as applicable, apply to the coinage herein authorized.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### IMPROVEMENT OF THE INDIANA HARBOR SHIP CANAL AND THE GRAND CALUMET AND LITTLE CALUMET RIVERS

Mr. SCHULTE. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

Mr. SCHULTE. Mr. Speaker and Members of the House, I wish to take this opportunity to address the Members of the House for a few minutes to explain a situation which exists in my district—the First Congressional District of Indiana—with regard to efforts I have made to obtain Federal funds for deepening, widening, and improving the Indiana Harbor Ship Canal and the Grand Calumet and Little Calumet Rivers.

My district is located on the southern shores of Lake Michigan. It has a population of approximately 300,000 persons. The district is highly industrial, with industries so diversified that practically every commodity used by mankind is manufactured in Lake County, Ind. Because of the many different industries the region has often been referred to as "the workshop of America."

It was my pleasure the other day to read an item in a newspaper which stated that the steel mills of East Chicago and Gary had passed Pittsburgh in the production of steel during the last 6 months' period. This is a good sign, and news of this character is welcomed by the people of my district and the people of the Chicago area. When production is stepped up in the steel mills of East Chicago, Indiana Harbor, and Gary, not to mention the various other industries in Hammond, Whiting, and other cities, times are good, business is brisk, and my people are contented. When production is at a low ebb the situation is quite the contrary.

As I mentioned before, efforts have been made to secure an appropriation to improve the Indiana Harbor Ship Canal along with the Grand Calumet and Little Calumet Rivers. However, efforts to secure sufficient funds have been to no avail because of the fact that the United States Army Engineers will not approve improvements deemed necessary to keep pace with the growth and progress of my district. At this time I would like to compliment all officials and citizens who have aided in their efforts to secure funds which would allow us to carry on the work that we now deem expedient to the welfare of the people of my district.

Now the point I am trying to make is this. If the Army engineers would cooperate with us and see the necessity of such improvement, there is no question but that the improvement would be such a boom to industry and commerce that within the next decade the population of my district would exceed a half million people. It has been pointed out to the Army Engineers that even now, with the crowded condition of the ship canal, there is more tonnage going in and out of the canal than from a great many bigger and larger ports of the United States where the Government has spent millions of dollars.

The Federal Government has spent millions upon millions of dollars widening, deepening, and dredging the Alleghany, Monongahela, the Ohio, and Hudson Rivers. I am sure that the need for expenditure of an appropriation to make the improvements in my district is as dire as when Members of this Congress voted to make improvements of the above-mentioned rivers. I feel that since the Government allowed such improvements to be made in other parts of the country that the people of my district should be granted the same concessions, and that the Members of this body should, when the time comes, approve such a measure, since there was no objection to the other grants being made.

Since the building of the canal in 1903, location of various industries has increased, with the result that a great many millions of dollars have been spent by industry in the building of plants and docks. It should be obvious that these industries would never have come to my district if it were not possible to obtain water transportation, and with the vision to the future, that needed improvements would be made, and increased water service would be made available as time and progress permitted.

As it is today, a great many industries have been lost to my district because of the fact that this Government will not appropriate needed funds to carry on the work of deepening and widening the ship canal and the two rivers. I feel that now is the time I would like to have cooperation of the Members of the House in connection with a bill authorizing this Government to proceed with the work that we in the Middle West deem is necessary.

Improvement of this project will not only bring industries to this region but will give employment to thousands of persons now idle. Situated as this region is in close proximity to the Indiana coal fields, the rich Mesabi ore ranges of Minnesota, there is every reason to believe this improvement would not only enhance the commerce of the Calumet region but the entire Middle West.

No doubt there may be some opposition to this improvement from some of the transportation systems owing to the fact they will say it will eliminate the long haul by a number of the railroads. However, this will more than offset the increased number of men that will, of necessity, be employed on switch engines to switch the cars in and out of the industries in the hauling of raw materials and the finished products.

The march of time and the wheels of progress demand that this Government appropriate sufficient funds to make this improvement now. It is necessary, and the people of my district are demanding it. They want action. Officials of the cities and civic organizations approve of these plans and are demanding that this Government allow us to keep pace with the trend of business improvements, and the signs of prosperity which are seen on every hand these days. To make this improvement now will allow the great Middle West to enjoy an expansion, which is so necessary to the welfare of my district, and a prosperity never before realized within the Calumet region, the hub of all activity in the Middle West.

The people of the Middle West demand that the resources of the lake be utilized, and that this Government improve this water transportation.

I wish at this time to give you a brief outline of the history of the Indiana Harbor Ship Canal, located in the cities of East Chicago and Indiana Harbor on the shores of Lake



Michigan, which was prepared by E. W. Wolfe, secretary-manager of the East Chicago Chamber of Commerce:

#### HISTORY OF THE INDIANA HARBOR SHIP CANAL, 1888-1935

In the year of 1888 the population of the city of East Chicago was only 775. However, those far-sighted citizens realized the potential possibilities of the natural advantages and the geographic location of the district from an industrial standpoint, provided water-transportation facilities were made available. Discussions reached a point in that year where a movement was started to build a ship canal.

Land for construction of the canal was deeded during 1888 and 1889 by Caroline M. Forsythe and husband, the Calumet Canal & Improvement Co., the Standard Steel & Iron Co., and these deeds were duly recorded.

In 1901 the work on the harbor was started and was carried on until its completion in 1903. In the year of 1901 the East Chicago Land Co. commenced the building of the canal, building 7,700 feet in a southwesterly direction from Lake Michigan and thence at a right angle 5,143 feet to White Oak Avenue, constructing a small turning basin just northeast of the Canal Street Bridge, dredging the channel to a depth of between 20 and 22 feet. Due to unforeseen circumstances, the completion of this branch of the canal consumed several years and was not finished until the year of 1914.

The navigable branch of the ship canal, that part running from Lake Michigan to White Oak Avenue, was built to a width of 300 feet from the breakwater to the railroad bridges of the E. J. & E., N. Y. C., B. & O., and the I. H. B. Railroads, and to a width of 200 feet over the balance.

The south branch of the ship canal was started several hundred feet south of Canal Street Bridge and built 1½ miles south to the junction of the Grand Calumet River, which had been designated by the United States Government as a navigable stream. This branch of the canal was dredged to a depth of 15 feet and to a top width of 200 feet to One Hundred and Forty-first Street and to approximately 150 feet top width from that point to the Grand Calumet River.

Records on file indicate that the right-of-way for the entire canal was accepted by the Secretary of War in compliance with the provision in act of Congress approved June 5, 1910, for and in behalf of the United States Government, and from that time the canal has been maintained by the United States Government, assisted, however, by the different industries up until 1929.

Since the building of the canal the location of industry along its shores has been ever constant and a great many millions of dollars have been spent by industry in the building of plants and docks, these industries would never have located in East Chicago (Indiana Harbor) had they not been able to obtain water transportation and with the future thought that additional water service would be made available to them.

The navigable portion of the canal has been in general use from 1914 up to date. A great deal of difficulty was experienced with the turning basin, it being small and not properly protected. On January 11, 1929, during the second session of the Seventieth Congress, House bill 16169 was passed, which authorized the Secretary of War to accept free and clear of all encumbrance a strip of land from the East Chicago Co., the purpose of which was for the construction of a new turning basin.

The work on the construction of the new turning basin was started in 1931 at the junction of the north and south branches of the canal, and the work was completed and the basin ready for service in 1932.

There are now located along the navigable portion of the canal nine huge industries that own and operate all of the property along its shores and who have made tremendous investments in this property. I am setting forth below the names of these different industries in the order in which they located and, wherever possible, their investment in dock improvements.

During the year of 1901 the Inland Steel Co. located in East Chicago and was the first plant to locate on the Harbor Canal. They occupy a frontage of 3,115 feet along the canal, all improved, at a cost to themselves of \$416,490.

During the year of 1904 the American Steel Foundries built its large plant along the ship canal, occupying a frontage of 2,848 feet, making their own improvements. We do not have the cost figures for this improvement.

During the year 1910 the Standard Oil Co. built their docks along the north side of the west branch occupying a frontage of 1,430 feet, and all improved at a cost of \$74,127.37.

During 1916 the Associated Box Corporation located on the north side of the ship canal, occupying a frontage of 377 feet, all improved, at a cost of \$48,000.

During the year 1916 the Mark Manufacturing Co. started to build their big plant on the north side of the ship canal at its mouth, just opposite from the Inland Steel Co., occupying a canal frontage of 3,200 feet. This plant was taken over by the Youngstown Sheet & Tube Co., who built all their dock improvements, and while I do not have their exact cost figures it relatively compares with the cost of the Inland Steel Co.

During the year 1917 the Sinclair Refining Co. located its large refinery on the north side of the canal at Indianapolis Boulevard. They occupy a canal frontage of 1,760 feet. I have been unable to secure the improvement cost; however, there were many thousands of dollars spent on their improvements.

During the year 1918 the Consolidated Oil Co. built its refinery on the south bank of the canal at Indianapolis Boulevard. The properties of this refinery were purchased by the Bartles-Maguire Oil Co., who operated these properties until 1933, when they were merged with the Wadhams Oil Co. who operated them up to 1934, when they merged with the Standard Oil Co. of New York. They occupy 825 feet of canal frontage and it was improved by them at a cost of more than \$85,000.

During the year 1928 the United States Gypsum Co. located its large plant on the north side of the canal at Canal Street, building its plant and dock as a unit at a cost of several hundred thousand dollars and occupying 990 feet, all covered by improvements. I cannot give the exact cost of this improvement due to the type of its construction.

During 1928 the Shell Petroleum located its docks along the south bank of the canal, between Indianapolis Boulevard and the turning basin, occupying 604 feet, fully improved by them at a cost of \$67,329.42, not including the cost of heads and pipes that had to be brought up to dock property.

During 1928 the East Chicago Dock Terminal Co. built large docks on the south side of the canal between the turning basin and Canal Street. They occupy a frontage of 1,680 feet on the canal, which they have fully improved at a cost of \$115,520.

During 1929 the Empire Oil & Refining Co. built its dock along the south side of the canal, between the turning basin and Indianapolis Boulevard, occupying a 600-foot frontage, and fully improved by them at a cost of \$185,000.

During 1934 the Texas Co. built its docks and bulk station on the south side of the canal at Canal Street Bridge. They occupy a frontage of 508 feet, fully improved at a cost of \$49,400.

In addition to the vast amounts spent by industries for dock improvements they were also called upon during the years up to 1929 to stand a portion of the yearly dredging expense. For example, during the years of 1924 to 1929, inclusive, the Inland Steel Co., the Standard Oil Co., and the Youngstown Sheet & Tube Co. spent \$105,090 for the dredging of the canal channel, which was in addition to the \$25,000 spent by the Government for maintenance purposes, which was excessively low.

By way of comparison with the previous years since this ship canal has been in service some tonnage figures may prove enlightening. During the period from 1914 to 1928, inclusive, the tonnage handled through the Port of Indiana Harbor by the various industries located on the canal has shown a constant yearly increase, as indicated by the following tabulation:

	Tonnage
1914	1,355,060
1915	1,639,597
1916	1,722,525
1917	1,691,858
1918	2,130,186
1919	1,985,818
1920	2,636,118
1921	2,317,524
1922	2,970,248
1923	3,880,882
1924	3,721,407
1925	4,240,308
1926	5,306,271
1927	5,054,933
1928	5,121,666

For the years of 1929 to 1935, inclusive, I am showing in the following table the tonnage handled by the different industries located on the canal only, and the number of ships using this waterway, showing the total tonnage by year and also the total for the 7-year period.

Tonnage, inbound and outbound

Name	1929	1930	1931	1932	1933	1934	1935	Total over period
Inland Steel Co.	3,453,869	2,831,703	1,788,953	519,071	1,711,549	2,016,868	2,248,825	14,570,838
East Chicago Dock Terminal Co.	253,998	151,759	157,612	151,531	210,852	245,269	233,064	1,384,085
Wadhams Oil Co.					12,870	36,465	79,365	128,700
Empire Oil & Refining Co.		84,057	118,811	106,769	37,394	62,448	226,415	635,894
Shell Petroleum Corporation	134,226	165,267	155,066	200,698	196,419	282,292	346,194	1,480,162
Texas Co.					280,165	280,760		560,925
Standard Oil Co.	1,191,955	995,573	1,044,045	1,009,534	1,010,387	1,065,463	1,100,000	7,416,957
United States Gypsum Co.	125,000	125,000	130,857	70,970	71,852	99,882	103,451	727,012
Youngstown Sheet & Tube Co.	2,895,185	1,269,943	695,166	145,798	405,786	761,422	750,941	6,924,241
Sinclair Refining Co.						164,000	93,222	257,222
Total	8,054,233	5,623,302	4,090,510	2,184,371	3,657,109	5,014,274	5,462,237	34,086,036
Number of ships	1,260	1,546	1,319	870	1,252	1,624	1,981	9,852



Along the south branch of the ship canal—that portion which is unnavigable and which is included in the ship canal, Grand Calumet, Little Calumet, Sag Channel development project, and which extends from the turning basin to the junction of the Grand Calumet River—there are located a great number of heavy-type as well as basic industries, whose investment along the south branch of the canal reaches high into the millions of dollars. These industries are all potential users of waterway transportation; they, for the most part, are prohibited from the use of the existing water service at the present time due to excessive costs in getting to dock facilities. Even under these extenuating circumstances a number do use waterway service, being forced to do so by reason of the fact their competitors have waterway service, and if our concerns are to stay in certain markets they are forced to meet this competition. One industry in particular which is located a short distance from the canal on the Grand Calumet River is the Grasselli Chemical Co., which during the past year handled 53,797 tons, and from 1929 to 1935 handled 242,626 tons.

Many of the industries that have located along the south branch of the ship canal and a strip along the Grand Calumet did so because all land along the harbor canal had been taken and they felt that before long this south branch would be made navigable. The industries of which I speak, and whose plants or properties are on and along the south branch of the canal and Grand Calumet River, are: The Inter-State Steel Co., Buckeye Steel Casting Co., Metal & Thermit Corporation, U. S. S. Lead Refinery, Inc., the Grasselli Chemical Co., Lavin & Son, Graver Tank & Manufacturing Corporation, Weber Insulations, Inc., Calumet Foundry & Machine Co., Continental Roll & Steel Foundry Co., Republic Rolling Mills Corporation, Hyman Michaels Co., International Smelting & Refining Co., the East Chicago City Dock, the Superheater Co. The above named, together with those listed on the navigable portion of the harbor ship canal, are only a portion of the industries located in East Chicago.

The harbor and waterway development in East Chicago has been responsible for the heavy industrial development in the city, and to this development is due the large increase in population that has taken place during the past years, as is shown by the census reports of the United States Government.

*Population of East Chicago, United States census*

1890	1,255
1900	3,411
1910	19,098
1920	35,967
1930	54,784

The benefits from the development of the Indiana Harbor Port and Ship Canal is vitally important to the entire Calumet region of Indiana, in that the industries in East Chicago normally employ in excess of 32,000 workers, with a weekly pay roll much in excess of \$1,000,000, and upon this pay roll the entire district is dependent.

The volume of outbound water-borne tonnage will greatly increase, more industries will be located, more men employed, and greater pay rolls, so beneficial to the district, will be had when the south branch of the ship canal, the Grand Calumet, Little Calumet, and the Sag Channel, is made available for use by the industry of the district.

*FLOOD CONTROL ON MISSISSIPPI RIVER*

Mr. WILSON of Louisiana. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (S. 3531) to amend the act entitled "An act for the control of floods on the Mississippi River and its tributaries, and for other purposes", approved May 15, 1928.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill S. 3531, with Mr. FLANNAGAN in the chair.

The Clerk read the title of the bill.

Mr. LAMNECK. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 2, line 7, after the word "Engineers", add the following: "Provided, That the Chief of Engineers, under the supervision of the Secretary of War, shall, at the expense of the United States Government, construct a system of levees and reservoirs to adequately control the floodwaters of the Scioto, Olentangy, and Sandusky River valleys in Ohio: And provided further, There is hereby appropriated the sum of \$40,000,000 for the carrying out of the above project."

Mr. WILSON of Louisiana. Mr. Chairman, I make the point of order against the amendment that it makes a direct appropriation.

Mr. WHITTINGTON. Mr. Chairman, I make the further point of order, but I am willing to reserve it if the gentleman wishes.

Mr. LAMNECK. I am willing that the Chair should rule on the point of order. Mr. Chairman, I want to call atten-

tion to the fact that the amendment was presented last evening with the understanding that it was to be an amendment to the section that included the reservoir plan for the White River and the Arkansas River.

For some reason or other the Clerk continued with the reading of the next section. It was my understanding, and the understanding of others, that the amendment would be offered to the section that was discussed last evening when we adjourned. It may not be germane to the section read last but it is germane to the section to which it is offered.

Mr. WHITTINGTON. Mr. Chairman, in addition to not being germane, some of the rivers mentioned in the amendment are not tributary to the Mississippi River, so it cannot be germane to any part of the bill. This is a bill for flood control along the Mississippi River and its tributaries. The Sandusky does not empty into the Mississippi River or into any tributary of the Mississippi River; it empties into Lake Erie.

The proposed amendment to this bill is not germane because the bill under consideration is only an authorization. The amendment proposes an outright appropriation of \$40,000,000. In the third place, we are considering section 4 of the bill, to which it is certainly not germane.

The gentleman obtained unanimous consent to have printed in the RECORD his amendment which he proposed to offer when the House convened today for the information of the committee. There was no unanimous consent that we should return to section 1, to which, if it is germane at all, it is germane.

For these reasons the amendment is not in order. Inasmuch as section 1 has been passed, inasmuch as the amendment embraces rivers not tributary to the Mississippi, and inasmuch as the amendment carries an appropriation, I insist on the point of order.

The CHAIRMAN. The amendment proposes to appropriate \$40,000,000. Rule XXI provides that no bill or joint resolution carrying appropriations shall be reported by any committee not having jurisdiction to report appropriations nor shall an amendment proposing an appropriation be in order during consideration of a bill or joint resolution reported by a committee not having that jurisdiction.

Inasmuch as the amendment appropriates money in violation of the rule, the Chair sustains the point of order.

Mr. LAMNECK. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Amendment offered by Mr. LAMNECK: Page 2, line 7, after the word "Engineers", add the following: "Provided, That the Chief of Engineers, under the supervision of the Secretary of War, shall, at the expense of the United States Government, construct a system of levees and reservoirs to adequately control the flood waters of the Scioto and Olentangy River valleys in Ohio: And provided further, There is hereby authorized to be appropriated the sum of \$40,000,000 for the carrying out of the above project."

Mr. WHITTINGTON. Mr. Chairman, I make the point of order against the amendment that it is not germane, that the authorizations of this bill and the projects in the authorizations are contained in section 1, that section 1 has been passed, that we are now considering section 4. In addition to that, Mr. Chairman, the proposed amendment does not embrace any tributary of the Mississippi River. My understanding is that the Scioto River and the Olentangy River are located in the State of Ohio, that the Scioto River is a tributary of the Ohio River, and the Olentangy River is a tributary of the Scioto, so that in no event could this amendment be germane either to the bill or to section 1 of the bill.

Mr. LAMNECK. Mr. Chairman, I think these two rivers are tributary of the Mississippi River, indirectly at least, and it seems to me that the amendment is germane to this section of the bill.

The CHAIRMAN. The Chair is ready to rule. This amendment is offered to page 2, line 1, section 1, of the bill, which has already been passed. The only way under the rules in which it can be entertained at this time is by unanimous consent. The Chair, therefore, sustains the point of order, and the Clerk will read.



Mr. LAMNECK. Mr. Chairman, I move to strike out the last word. This flood proposition is beginning to be a very important matter in this country. In my State in 1913 the flood waters of the Miami River Valley were controlled and the costs thereof were paid entirely by benefited property. At the present time in Ohio we are making an improvement in the Muskingum Valley. The Federal Government made an appropriation through the P. W. A. of \$24,000,000, and under a State law that we have there was created a conservancy district, and the conservancy board has assessed against the property benefited by this improvement \$12,000,000. In many cases the assessment is greater than the value of the property. In Newcomerstown, Ohio, a small city, there is a concern which is on the tax duplicate for \$137,000. The assessment against the property is \$90,000. There is another concern there whose property is valued at \$47,000 and the assessment against the property for that improvement is \$30,000. I contend that if we are going to have a flood-control program in this country we cannot assess benefited property in such a way that, in effect, means confiscation, and that is what will happen if the benefited property is supposed to pay a great part of the cost of flood improvement and flood control. Gentlemen ought not to fool themselves when they talk about passing flood-control legislation by thinking the property benefited is not going to be assessed enormous amounts. I know in a little town that I was born and raised in in Ohio the benefits assessed against property are more than the property is worth.

I call attention to another thing. We have the Home Loan Act, and gentlemen know that we loan money on homes up to 80 percent of the assessed value. I know one property that has a home loan on it for \$4,000, 80 percent of its value. Along comes the flood-improvement program and assesses that property \$2,000 more, so that the assessment and mortgage against that property today is more than its value. The home owner has no equity in the property, and you will be doing the same thing if you assess the cost of improvement against farms. You will assess them for more money than they are worth. In the Miami Valley, in Ohio, there is not a single farm which, as a result of the 1913 flood, as a result of the 1913 act, is worth the money today that the assessment provided for.

Here we are down in the Mississippi Valley making an appropriation for \$272,000,000, while up in Arkansas we voted in an amendment, which I voted for, which provides for an expenditure of \$126,000,000, and I am here to tell you now that you will never collect \$126,000,000 from Arkansas for the improvement made on those two rivers, because the land is not worth that much.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. JENKINS of Ohio. Mr. Chairman, I rise in opposition to the pro-forma amendment. I shall direct my remarks in line with what my good friend Mr. LAMNECK has had to say, and that is to call the attention of the House to the fact that we are in this bill entering upon a very dangerous policy, especially when we consider what was done in the Senate yesterday. Yesterday, in my weak way, I tried to impress upon the membership here that this is a very important bill, and the most important thing about it is that it has no definite policy as to State or local participation. On several of the projects named the bill provides that the Government shall pay for all damages and all rights-of-way. On other projects in the bill it provides that the State or local beneficiaries from the improvement shall furnish the rights-of-way and assume all damages. Yesterday the Senate passed a very important bill, known as the Copeland omnibus flood-control bill, providing for omnibus flood relief. It provides relief for many, if not all, the sections which suffered from disastrous floods this last spring. It touches almost every part of the United States. As I understand it, in that bill a very definite policy has been set forth. It provides that the Government shall pay the expenses of the improvement. Then the communities or States or landowners, those who are immediately interested,

must pay for all rights-of-way and for all damages up to the amount that the Government puts into the improvement.

If the damages and the rights-of-way amount to more than the cost of the improvement by the Government, the Government will share with the territory in paying that excess. As an illustration, in the Pittsburgh territory the Government expects to put in improvements worth \$20,000,000. The damages and the rights-of-way will cost \$30,000,000. The Pittsburgh territory will have to pay that \$20,000,000, the same as the Government puts into the improvements. Then the difference between twenty and thirty million, which is ten million, shall be divided equally between the Government and the local authorities. If that is the case, if Pittsburgh and all other sections are going to have to match the Government, so to speak, then what we did yesterday in voting for these reservoirs on the Arkansas and White Rivers is entirely wrong. I voted for that amendment; but if that is the situation, it is entirely wrong, because there the Federal Government is going to pay for everything. I am calling upon those on the Democratic side who have responsibility for this flood-relief program to come forward with a consistent, constructive program. Let us not find ourselves confronted with a situation that will inevitably result in a veto by the President of the United States, and we will have no flood relief anywhere.

Mr. WHITTINGTON. Mr. Chairman, will the gentleman yield?

Mr. JENKINS of Ohio. I yield.

Mr. WHITTINGTON. Is it not true that the members of the committee did their best to point out how you were making a mistake in passing that amendment and making discrimination on those two rivers yesterday?

Mr. JENKINS of Ohio. I do not want to take any of that blame myself, because I am for flood control. The country needs it. I am calling upon the Democratic authorities, the Democratic leaders, the Democratic President, and the Democratic administration to get out of this inconsistent position in which they now are, get out of this aura of inconsistency, and come out into the daylight and give us an intelligent program that the President and the Nation will support, and that will be right and consistent and just.

Mr. DRIVER. Mr. Chairman, will the gentleman yield?

Mr. JENKINS of Ohio. Yes; I yield.

Mr. DRIVER. There is no one who can misunderstand the definition of the duties and responsibilities in the adopted program for flood control on the Mississippi River. It is written into the law. The people there themselves contributed and turned over to the Government \$292,000,000. In addition to that, they paid \$41,000,000 for land damages that were required under this bill, and we protested as vehemently as anybody possibly could against the inclusion of projects that were based on some other separate definition of responsibility, and the gentleman supported it.

Mr. JENKINS of Ohio. The gentleman no doubt helped write the bill, and for that reason knows more about this bill—S. 3531—than I do, and I call upon him and his able assistants to redraft this bill or amend it so that it will contain a consistent policy.

Mr. DRIVER. Yes. I know all about it.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

The Clerk read as follows:

SEC. 4. That neither of the projects for the flood control of the St. Francis River or the Yazoo River, hereby authorized, shall be undertaken until the States, or other qualified agencies, shall have furnished satisfactory assurances that they will undertake, without cost to the United States, all alterations of highways made necessary because of the construction of the authorized reservoirs, and meet all damages because of such highway alterations, and have agreed also to furnish without cost to the United States all lands and easements necessary to the construction of levees and drainage ditches constructed under this project: *Provided*, That the reservoirs for control of headwater flow of the Yazoo River system may be located by the Chief of Engineers, in his discretion: *And provided further*, That the Chief of Engineers may, in his discretion, substitute levees, floodways, or auxiliary channels, or any or all of them, for any or all of the seven detention reservoirs recommended in his report of February 12, 1935,



for the control of floods of the Yazoo River: *And provided further*, That the Chief of Engineers, with the approval of the Secretary of War, may modify the project for the flood control of the St. Francis River as recommended in said report, to include therein the construction of a detention reservoir for the reduction of floods, and the acquisition at the cost of the United States of all lands and flowage necessary to the construction of said reservoir except flowage of highways: *Provided further*, That the estimated cost to the United States of the project is not increased by reason of such detention reservoir.

Mr. JENKINS of Ohio. Mr. Chairman, I move to strike out the last word. I do this so that I may take up this argument that I was having with the gentleman from Arkansas a moment ago, and to bring out this point: As I said, I am not as familiar with this bill as the gentleman from Arkansas is. I do not claim to be; but, as I look through this bill, I find there are several projects where the Government pays everything. For certain other projects you have stipulations to the effect that the territory benefited thereby must come forward with some contribution. How is it that you do not have a consistent program in this bill?

Mr. DRIVER. It is consistent, if the gentleman will stop to take into consideration the necessities and the engineering recommendations with regard to it. On all levees all damages, the local interests are required to pay it and to maintain the completed structure. That is generally true until you come to the floodways. When this water is taken out of the river—that is, the excess water—and carried through these diversion channels, imposing a burden on the lands, there it does not protect but condemns the land. Necessarily the Government assumes that responsibility. I call attention to the fact that these lands involved here are lands that are protected by levees and have been for many, many years, but because of the increase in the flood heights, the engineers find it necessary to take out of the channels of the Mississippi River this excess water, so the balance of it can pass safely between these levees in the channel. They take that burden out of the Mississippi River and pour it into this protected area, and take the lands of the people for that diversion, for the common good. Of course, you have no basis to cause a contribution on the part of those people who are not benefited but who are destroyed.

Mr. JENKINS of Ohio. So that I may get it plain, let me ask the gentleman this question. Yesterday we passed an amendment to this bill providing for the construction of 26 reservoirs, and that amendment provided that the Government must assume all expense of construction and all expense of damages and all expense of rights-of-way.

Mr. DRIVER. And maintenance; yes. What you did to us was a plenty.

Mr. JENKINS of Ohio. Now, you state that this bill provides, before this amendment was put on, the same thing, that the Government must pay everything except the \$41,000,000 which these States have heretofore contributed.

Mr. DRIVER. Oh, no, no. Now, let us get that straight. When the act of 1928 was passed, under which the Government assumed responsibility for building the structures, the local interests had expended \$292,000,000 on the levees along the river that were used under the adopted project, and were simply increased in grade and sections. In other words, they were built up higher and stronger by the Government, but the people put those levees there out of their own money, \$292,000,000.

When that project was adopted there were certain rectifications the engineers thought necessary, together with some additional levies in order to connect up and make a consistent line of them. They imposed the burden on local interests to pay for every acre of that land, damages, and to maintain the completed structures. Under that responsibility the local interests since 1928 have paid out \$41,000,000 and are continuing to pay for and maintain the structures.

[Here the gavel fell.]

The Clerk read as follows:

SEC. 5. The Chief of Engineers, under the supervision of the Secretary of War, shall at the expense of the United States Government construct a system of levees substantially in accordance with general plan shown on map designated as sheet no. 1 entitled "Tributary Levee Location Survey—White River Levee District—

Proposed Levee Location" accompanying report dated April 2, 1925, and filed in office of first and second Mississippi River commission districts, Memphis, Tenn. The Chief of Engineers shall have the right to alter, change, or modify said plan as to the grades and levee sections: *Provided, however*, That no work shall be commenced on the above-mentioned project until the State, levee boards, or other responsible local interests have given assurances satisfactory to the Secretary of War that they will (a) provide without cost to the United States all rights-of-way necessary for the construction of said project; (b) provide drainage facilities made necessary by construction of levees; (c) acquire and provide without cost to the United States all flowage and storage rights and easements over, upon, and across the lands and properties within the protected area in the event it becomes necessary in the judgment and discretion of the Secretary of War or the Chief of Engineers to use said area, or any part thereof, for an emergency reservoir; (d) hold and save the United States free from liability for damages on account of the use of said area for reservoir purposes during said emergency.

Mr. RICH. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. RICH: Page 4, line 1, strike out section 5.

Mr. RICH. Mr. Chairman, I believe all the Members realize it is absolutely necessary to have some nonpartisan organization take care of flood control, an organization in which the Members of the House and the people of the country will have confidence. I do not know of any body of men who can handle flood control to the satisfaction of the people of the country generally better than the Corps of Army Engineers, a nonpartisan organization.

Coming now to section 5, I want to read what Secretary of War George H. Dern wrote on February 15, 1936, to Senator COPELAND:

Section 5 of the bill authorizes the construction of a system of levees to protect land in the backwater areas of the White River and provides for payment by the United States of the entire construction cost of the system. This work is not recommended in the report. The requirement that the Government bear the whole construction cost is not in accord with the policy established by Congress in similar cases. Section 6 of the act of May 15, 1928, provides for the construction by the United States of levees protecting lands in areas subject to backwater influences of the Mississippi River on condition, among others, that local interests contribute 33 1/3 percent of the costs of the work. This is a reasonable requirement in all cases of like character, and the Department is unable to recommend that the entire cost of the construction of levees in a backwater area be borne by the United States.

Secretary of War Dern objects to section 5 of the bill, as you note from this letter. I also want to call your attention to a statement contained in a letter written by E. M. Markham, major general, Chief of Engineers, War Department, to the chairman of our committee, the gentleman from Louisiana [Mr. WILSON]:

WAR DEPARTMENT,  
OFFICE OF THE CHIEF OF ENGINEERS,  
Washington, April 30, 1936.

HON. RILEY J. WILSON,  
Chairman, Committee on Flood Control,  
House of Representatives, Washington D. C.

DEAR JUDGE WILSON: In compliance with your request to me at the hearings before the Flood Control Committee of the House on April 30, 1936, I have to inform you that bill S. 3531, a bill to amend the act entitled "An act for the control of floods on the Mississippi River and its tributaries, and for other purposes", approved May 15, 1928, as amended and passed by the Senate on April 21, 1936, with the exception of section 5, now conforms to the views of the Department, and satisfies the objections urged to the bill in the report of the Secretary of War of February 15, 1936, to the Commerce Committee of the Senate, which report was made prior to the amendments that were adopted by the Senate.

Yours very truly,

E. M. MARKHAM,  
Major General, Chief of Engineers.

With the exception of section 5. This is the section I strike out by my amendment. Now, are we going to permit the Corps of Army Engineers to handle this flood-control situation under the plan adopted in 1928 or are we going to inject in the bill features contrary to the well-considered plan of the War Department?

Mr. WHITTINGTON. Mr. Chairman, will the gentleman yield?

Mr. RICH. I yield.



Mr. WHITTINGTON. I agree with the statement made by the gentleman, but it is only fair to say that the gentleman voted against the recommendation of the Chief of Engineers on yesterday when he voted for the Miller amendment, adding \$126,000,000 to this bill. That is a fair statement, according to the RECORD, is it not?

Mr. RICH. That is right, and I want to tell the gentleman why I did it. Whenever I can by spending twice the money do eight times the amount of good that could be done by spending half the money, I want to do it. That is sound business.

[Here the gavel fell.]

Mr. RICH. Mr. Chairman, I ask unanimous consent to proceed for 2 additional minutes.

Mr. ANDRESEN. Mr. Chairman, I object.

Mr. WHITTINGTON. Mr. Chairman, the gentleman from Pennsylvania is a member of the committee. This is an important part of the bill. I ask unanimous consent that the gentleman from Pennsylvania may proceed for 3 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. WHITTINGTON. Mr. Chairman, will the gentleman yield?

Mr. RICH. I want to answer the gentleman's question first. I realize that the Miller amendment provided that the rights-of-way for the 26 reservoirs were to be paid for by the Federal Government, but I was under the impression that an amendment would be offered striking out that feature on the Arkansas, the White, as well as the Yazoo and St. Francis Rivers.

Mr. WHITTINGTON. But, Mr. Chairman, if the gentleman will yield, the amendment was not modified and did not provide that the cost of rights-of-way should be borne by local interests at the time the gentleman voted for the amendment.

Mr. RICH. Yes; but even now several Members on our side are trying to work out an amendment that will accomplish that result. The amendment will soon be presented; just be patient. If we can do that, it will then be in accordance with the plan of the Army Engineers.

Mr. WHITTINGTON. Just a moment. The gentleman voted for the amendment.

Mr. RICH. I voted for the amendment.

Mr. WHITTINGTON. The gentleman is a member of the committee, is against the bill, signed the minority views, and has done everything he could to try to kill the bill.

Mr. RICH. No. We want to perfect the bill.

Mr. WHITTINGTON. That is exactly what the gentleman is doing; trying to kill it.

Mr. RICH. If an amendment is adopted striking out the obligation of the Federal Government to pay for the right-of-way for these reservoirs and section 5 not approved by Army Engineers, I will vote for the bill. If such amendments are not adopted, I will not.

Mr. WHITTINGTON. But the gentleman signed the minority views and is against the bill with or without the amendment.

Mr. RICH. We are against certain features of the bill that are contrary to the established plan and policy of 1928, and we are trying to get the Members of the House to adopt a bill that will be satisfactory to the Army Engineers. The people in the Mississippi Valley should be treated the same as we treat everybody else. When it comes to the matter of flood control the people in the Mississippi Valley have gotten the lion's share. Now they are trying to secure the inclusion of these other rivers and steal a march on the other people of the country and make the other people pay their burden, a burden they should stand themselves.

Mr. WHITTINGTON. Mr. Chairman, will the gentleman yield?

Mr. RICH. I yield.

Mr. WHITTINGTON. Is it not a fact that the president of the Mississippi River Commission recommended section 5, the section the gentleman has moved to strike out?

Mr. RICH. I am not prepared to say; I do not know. I do not want to comment on it because I do not want to make a misstatement.

Mr. DRIVER. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I am going to use my colleague's yardstick to support this particular section of the bill. If I do not do it perfectly, I am willing to withdraw the section from the bill.

The justification he offered for his support of a reservoir amendment adopted yesterday, as the Members will recall, was that it would reduce the flood height in the Mississippi River in the vicinity of Arkansas City 4.2 feet. I am commenting on the reasons which the gentleman from Pennsylvania offered for supporting the reservoir amendment; \$126,000,000 would reduce the flood height 4.2 feet in the vicinity of Arkansas City. The same Army Engineers he commends have stated in their report on this section of the bill that with \$12,000,000 they could reduce the flood height at the same place 6 inches, which means \$12,000,000 for 6 inches under this section and \$14,000,000 for the like reduction under the amendment which the gentleman from Pennsylvania supported yesterday.

Mr. RICH. Will the gentleman yield?

Mr. DRIVER. I yield to the gentleman from Pennsylvania.

Mr. RICH. The Army Engineers make the statement, do they not, that by building the 26 reservoirs they can reduce the flood height in the lower Mississippi 4½ feet?

Mr. DRIVER. Yes; and 6 inches with \$12,000,000.

Mr. RICH. The engineers of Louisiana say it will decrease the height of the flow on the Mississippi River as much as 5½ feet?

Mr. DRIVER. They said 4.2 feet. The Louisiana people estimated it would be possibly 5 feet or slightly in excess, but even then there would be 5 feet additional which we would have to take care of by diversion. It will cost us the same amount of money, notwithstanding the expenditure of \$126,000,000.

Mr. RICH. In connection with the two rivers mentioned in the bill, does not the report show we will have to spend \$56,000,000 to reduce the flood height 9 inches?

Mr. DRIVER. The reduction in the flood height comes from the Yazoo system. The engineers never offered any justification for the inclusion of the St. Francis on the ground of reducing the Mississippi River flood height. They base their contention absolutely on the fact that the land-owners in the St. Francis Basin have contributed equally with every other protected acre in the valley for the construction work on the Mississippi River, and they are today contributing the same amount of money on an acreage basis as are these other protected lands, because every acre of overflow land in the valley is burdened with a debt created through the issuance of bonds and the owners of these overflow lands are just hanging on hoping against hope that they may be protected. They are today paying their proportion on an acreage basis of the maturing principal and annual interest obligations under these bonds. There is the reason for the inclusion of these two streams entirely within that alluvial valley, not on account of reducing purposes, although they do reduce in the Yazoo according to the statement, 9 inches, but nothing in the St. Francis, which is on a different basis entirely.

I may say to the gentleman from Pennsylvania that I am using his own yardstick in order to justify the inclusion.

[Here the gavel fell.]

Mr. CARLSON. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, it is rather interesting to listen to the discussion here today after the argument we heard yesterday in regard to the approval or disapproval of Engineers' reports. I am sure you all remember a number of distinguished gentlemen took the floor and made the statement it was impossible to secure enactment of flood-control legislation without the approval of Army Engineers. Now we come in here today with an amendment that has the disapproval of Secretary of War George H. Dern as well as the disapproval of the Chief



of Engineers, Gen. E. M. Markham. It does have the approval of General Ferguson, who is Chairman of the Mississippi River Commission, in his report to the Chief of Engineers.

Mr. DRIVER. Will the gentleman yield?

Mr. CARLSON. I yield to the gentleman from Arkansas.

Mr. DRIVER. Is not the same thing true of the amendment adopted yesterday?

Mr. CARLSON. The gentleman is correct.

Mr. DRIVER. I am using the gentleman's own yardstick.

Mr. CARLSON. I may say to the gentleman from Arkansas that I expect him to demand a roll call which will take that amendment from the bill.

Mr. Chairman, here is a section of the bill that in my opinion should be eliminated for the reasons just stated. The testimony of General Markham shows this is reclamation work.

Mr. Chairman, I hope the House votes to strike out section 5 and eliminate \$12,000,000 of the expenditure.

Mr. COLDEN. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, I am not going to attempt to discuss the merits of this bill. However, all this discussion has impressed me with the necessity of national planning. Here we are pouring millions and millions of dollars into building levees and digging ditches, establishing basins, and so forth, to take care of the water of the river down at the bottom of the slope. I think we should reverse the policy. I do not suppose that can be done at this time, because I presume the necessity for this bill is such that we cannot change the policy at this moment. Every barrel of this destructive water that flows into the lower Mississippi River is of great value in the West and Northwest, and if we could impound this water on the upper Missouri River and its tributaries it would be of great benefit. The water has tremendous value for irrigation purposes in Montana, the Dakotas, in many parts of Oklahoma, Kansas, and Nebraska, and all through the West. If this water were impounded near its source it would protect the moisture of those semiarid territories, and it also has a tremendous value in the development of power which is very greatly needed in those sections of the country. The development of power at the source, or along the course, of these rivers would defray the entire cost of many of these dams and projects.

Mr. Chairman, I make this comment in order to call the attention of the Members of Congress to the necessity of revising our policy to point out the value of national planning and to try to get away from the building of levees and ditches only and get to that greater plan and system of national planning that has already been established on the Tennessee River and its tributaries. As I view it, flood-control, navigation, irrigation, and power development should be correlated.

Mr. DONDERO. Will the gentleman yield?

Mr. COLDEN. I yield to the gentleman from Michigan.

Mr. DONDERO. I understand this section is in the bill contrary to advice of the Army Engineers. Is it not a fact only four times in the history of the Nation has the Congress ever acted diametrically opposite to the advice and information given by the Engineers on matters of this kind?

Mr. COLDEN. I assume the gentleman is correct, but my purpose was not to discuss the merits of the bill but to get an idea before the Members.

Mr. DRIVER. Mr. Chairman, will the gentleman yield?

Mr. COLDEN. I yield to the eminent gentleman from Arkansas.

Mr. DRIVER. For the information of my colleague from Michigan, I desire to say that the Engineers made a special study of this particular area, and it is incorporated in a report they made to the Congress, House Document 202, of the Seventy-third Congress, with a complete engineering plan respecting this particular problem which is on all fours with the matter we have discussed here.

Mr. COLDEN. My idea is that we ought to have a Missouri Valley authority, we ought to have a Platte Valley authority, and we ought to take all of these great basins and

develop them under a system of national planning, and this would take care of the floods on the lower Mississippi and that water could be used for conservation of moisture, navigation, irrigation, and power. The Boulder Dam on the Colorado River is a combination of flood control and power development. The Boulder Dam will repay its entire cost and eventually produce a profit. Why not apply this policy in the Mississippi and Missouri Valleys?

Mr. RICH. Mr. Chairman, will the gentleman yield?

Mr. COLDEN. I yield.

Mr. RICH. If the Army Engineers approved this, why did Secretary Dern write the letter I read on the floor here, and why did Gen. E. M. Markham write the letter that I read on the floor a few moments ago disapproving it?

Mr. COLDEN. I will say to the gentleman from Pennsylvania that I cannot read the mind of either one of the authorities he has quoted.

To build basins and reservoirs for the control of floods in the flat lands of the Mississippi Valley not only destroys the use of great areas of fertile soil but serves only for the promotion of bullfrogs and pony mosquitoes. To store these floods at the source in basins and reservoirs will add greater prosperity to semiarid regions and add to our national wealth. The development of power will repay the cost of many of these projects and add to the convenience and comfort of a large population. Water at its source can be used as an asset if intelligently controlled. If permitted to flow unharnessed and unrestrained, it carries but destruction to those below.

[Here the gavel fell.]

The pro-forma amendments were withdrawn.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania [Mr. RICH].

The amendment was rejected.

The Clerk read as follows:

SEC. 6. That the United States shall provide the drainage made necessary by the construction of floodway levees included in the modified project.

SEC. 7. That the United States shall construct at its own cost one railroad and one highway crossing over the Eudora floodway and not to exceed three railway and two highway crossings over the Morganza floodway, and not to exceed one railway crossing (together with suitable physical connections therewith) and one highway crossing over the floodway west of the Atchafalaya River provided for in the modified project: *Provided*, That equitable agreements can be made with the railroad and highway authorities concerned and that the appropriate railroad or highway agencies agree to accept and maintain and operate these crossings without cost to the United States: *Provided further*, That the railroads crossing the Morganza and West Atchafalaya floodways agree in consideration for the crossings constructed to waive all claims against the Government for any damages that may occur by reason of overflows in the Morganza and West Atchafalaya floodways: *And provided further*, That other railway and highway damages shall be adjusted as provided for in section 12.

SEC. 8. That, in addition to the construction by the United States of roads in connection with floodways as heretofore provided, the Federal Government may, in the discretion of the Chief of Engineers, and within the limits of available funds, construct additional roads to afford access to those portions of the levee lines not otherwise accessible.

Mr. JENKINS of Ohio. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. JENKINS of Ohio: After section 8, line 6, page 6, insert:

"SEC. 8. (a) That no money appropriated under authority of this act shall be expended on the construction of any project until States, political subdivisions thereof, or other responsible local agencies have given assurances satisfactory to the Secretary of War that they will (a) provide without cost to the United States all lands, easements, and rights-of-way necessary for the construction of the project, except as otherwise provided herein; (b) hold and save the United States free from damages due to the construction works; (c) maintain and operate all the works after completion in accordance with regulations prescribed by the Secretary of War: *Provided*, That whenever expenditures for lands, easements, and rights-of-way by States, political subdivisions thereof, or responsible local agencies for any individual project or useful part thereof shall have exceeded the present estimated construction cost thereof, the local agency concerned may be reimbursed one-half of its excess expenditures over said estimated construction cost: *And provided further*, That when benefits of any project or useful part thereof accrue to lands and property outside of the State in which said project or part



thereof is located, the Secretary of War may acquire the necessary lands, easements, and rights-of-way for said project or part thereof after he has received from the States, political subdivisions thereof, or responsible local agencies benefited the present estimated cost of said lands, easements, and rights-of-way, less one-half the amount by which the estimated cost of these lands, easements, and rights-of-way exceeds the estimated construction cost corresponding thereto: *And provided further*, That the Secretary of War shall determine the proportion of the present estimated cost of said lands, easements, and rights-of-way that each State, political subdivision thereof, or responsible local agency should contribute in consideration for the benefits to be received by such agencies: *And provided further*, That whenever not less than 75 percent of the benefits as estimated by the Secretary of War of any project or useful part thereof accrue to lands and property outside of the State in which said project or part thereof is located, provision (c) of this section shall not apply thereto; nothing herein shall impair or abridge the powers now existing in the Department of War with respect to navigable streams."

Mr. WHITTINGTON. Mr. Chairman, I make a point of order against the amendment that it is not germane.

The amendment, if at all germane, would have been germane to section 1 of the bill, which undertakes to provide for methods of financing the projects authorized and which does provide for the financing of the projects authorized in this bill.

The amendment is not germane for another reason. As I understand, the gentleman proposes it as a separate section, and the proposed amendment undertakes to deal not only with flood control but with other matters over which the War Department has no supervision.

If I caught the reading of the amendment aright, it is taken bodily from the omnibus bill that passed the Senate yesterday as an amendment of the bill passed by the House last session. It is not germane to this bill, which is confined to flood control and to navigation only on the lower Mississippi River, and has nothing to do with the benefits that may accrue to power or to irrigation.

So, I say, Mr. Chairman, that section 1 is the section that deals with the financing of the projects and with the conditions on which they shall be financed, and I remind the Chair that section 1 adopts paragraph 43 of Committee Document No. 1 and enumerates the projects and refers to the terms upon which they shall be financed. So, if the amendment were germane to the bill at all it would be germane only to section 1, which has been passed, and is not now under consideration.

It is not germane, I repeat, as an independent section because it deals with matters wholly beyond the scope of this bill, which is limited to flood control and navigation along the Mississippi River and its tributaries.

Mr. JENKINS of Ohio. Mr. Chairman, the amendment is absolutely germane, because it puts a real heart into the bill. Every bill like this providing for an appropriation states how the money shall be expended. That is what the bill does. It is a limitation on the manner and method of spending the money.

This amendment is taken bodily from a bill passed yesterday in the Senate. That was a flood-relief bill and nothing but a flood-relief bill. This is a flood-relief bill and nothing but a flood-relief bill. The amendment meets every test as to germaneness.

If this amendment is adopted it will give some consistency to the bill so that it will be fair and reasonable and so the President will approve it. It will provide that every project in the bill shall be paid for in a certain way—that every project named in the bill shall be paid for in the same way—not paid for by the Government in one instance and by individuals or communities in another instance. It will give consistency to the bill.

This is the language put in the other flood-relief bill in the Senate, language that the President has approved, and that the Army Engineers have approved, and that the conscience of the Nation will approve.

If you want a bill that is consistent, you should adopt this amendment.

Mr. WHITTINGTON. Mr. Chairman, when the gentleman from Ohio mentioned a yardstick, the only discrimination has been for those projects along the Ohio River.

Mr. JENKINS of Ohio. Oh, no; my amendment provides that all similar improvements should be paid for in the same way, regardless of where they are located, and you ought to be willing, if you share the benefits, to share the expense, just as is required of sections in Pennsylvania and Connecticut and Illinois.

Mr. WILSON of Louisiana. Mr. Chairman, I think the amendment of the gentleman from Ohio has no application to this bill.

The CHAIRMAN. The Chair is ready to rule. As the Chair views the matter, the amendment is a limitation on the expenditure of money appropriated in the bill, and therefore the Chair holds that the amendment is germane and overrules the point of order.

Mr. JENKINS of Ohio. Mr. Chairman, in this bill so far we have 26 reservoirs and 10 or 15 different projects, and, as far as I am able to find, there is no set yardstick to measure the local or governmental participation. Each project stands on its own feet. One project in one State might be paid for by the Government in its entirety, while an exactly similar project in the same State or in a different State might be paid for partly by the Government and partly by the State or by an assessment upon the parties or property benefited.

The Senate has been busy for the last 3 weeks formulating a bill which passed the Senate yesterday and which is known as the Copeland omnibus flood-control bill. It is not a Republican Senate, it is a Democratic Senate. This bill contains a definite plan whereby the expense of the construction of the projects is provided. It provides a yardstick by which each project is to be built and paid for. The Chair has ruled my amendment germane. The amendment is germane. It is reasonable and sensible. The language of my amendment is consistent, and it has been approved by the President. The committee should vote for it and every Member should vote for it.

Mr. LAMNECK. Mr. Chairman, will the gentleman yield?

Mr. JENKINS of Ohio. Yes.

Mr. LAMNECK. Is it not true that this is in line with the Senate bill passed yesterday?

Mr. JENKINS of Ohio. That is correct. This will make it in line.

Mr. LAMNECK. Yes; and I hope every Democrat will vote for it.

Mr. RICH. Mr. Chairman, will the gentleman yield?

Mr. JENKINS of Ohio. Yes.

Mr. RICH. This is the amendment that we are trying to get through in order that we might put this bill in line with the Senate bill, as requested by me of the gentleman from Mississippi [Mr. WHITTINGTON] a few moments ago. I hope all Members will support the amendment.

Mr. McCLELLAN. Mr. Chairman, will the gentleman yield?

Mr. JENKINS of Ohio. Yes.

Mr. McCLELLAN. There is one thing the gentleman is overlooking when he is talking about local benefits as affecting the lower Mississippi Valley and compelling them to make additional contributions. Certainly, those landowners ought to pay for these benefits to the limit of their ability, but they have already done it. They have spent \$330,000,000 trying to get protection for this valley. To that extent it does place them upon a different basis from territory that has never paid anything.

Mr. JENKINS of Ohio. There is no question but that the Army Engineers can take that into consideration.

Mr. McCLELLAN. But the amendment does not take that into consideration.

Mr. JENKINS of Ohio. It will be construed in that way.

Mr. McCLELLAN. It has the effect of placing a burden on the people and property owners of the valley that they have heretofore fully discharged.

Mr. WILSON of Louisiana. Mr. Chairman, I hope the amendment will not be adopted. This bill proposes to carry out the projects adopted in the act of 1928, when the declaration of Congress was made that all requirements for local contributions had been complied with, that \$292,000,000



had been paid by the local interests, and that no other local contribution should be required. That was adopted as a national problem. I think it would be unfortunate to change that policy which this bill recommends for the completion of that great project.

Mr. JENKINS of Ohio. Mr. Chairman, will the gentleman yield?

Mr. WILSON of Louisiana. Yes.

Mr. JENKINS of Ohio. How is the gentleman, as chairman of this committee, going to come in here next week and defend this program which the Senate has adopted as applying to Pennsylvania and Oklahoma and various other States, and oppose it for Louisiana?

Mr. WILSON of Louisiana. Because the contribution required in that bill, even a greater burden, has been already placed upon the people of the alluvial valley, and they have already discharged it. That is the reason I can defend it. They are burdened with debts now for the payment of it, and the act which we are simply amending stated that on account of the contributions made no other local contribution should be required for the carrying out of the project. That was a declaration of Congress, a declaration of a national program to be completed on that basis. I hope the amendment will be defeated.

Mr. GRISWOLD. Mr. Chairman, I move to strike out the last word. I think the amendment should be adopted, in line with trying to get a policy of flood control that affects all parts of the country alike. We quibbled a lot here yesterday about whether the Army Engineers or someone else should approve this report. In the bill passed in the Senate yesterday, which applies to all the rest of the country, except this special Overton bill territory, it was provided that the Army Engineers would not be considered, and their reports are clear out. The thing that will be considered is what the President wants. He will allocate the funds, he will suggest which works shall have priority, regardless of the Army Engineers' report. I think the only thing this Congress can do, to do justice by all the people of the country, is to adopt a policy that affects all of the country alike, not a policy which says you shall have a system one way in flood control in the lower Mississippi, but in the rest of the United States you shall have some other system. It is preposterous that this Congress should try to legislate flood control by sections or regions. We should legislate it for the whole country, and it should be all alike. All should get justice in spending flood-control money. North, South, East, or West, it is one land and one people affected in each region alike by flood waters. Legislation should apply to all alike. It should be a proposition of flood control, and not flood-control money. [Applause.]

Mr. COX. Mr. Chairman, I move to strike out the paragraph. There is great necessity for flood-control legislation. The best thought in this country on the question of flood control is to be found in the Flood Control Committee of the House. The most important work done by the Congress in the effort to deal with this national problem was begun under the chairmanship of Frank Reid, a Republican from Illinois. The policy of the Government in dealing with this question was laid down in the act of 1928, and unless you know something of the background of this legislation and the conditions that brought it about, you are unable to appreciate the importance of adhering to the bill that has been reported by your committee. No greater mistake could be made by the Congress than recognizing the problem of flood control as purely a Federal problem.

That has not been done. It was not done in the bill of 1928. It is not here sought to be done. The amendment that was adopted yesterday was most unfortunate. That amendment itself probably wrecks the bill. If the pending amendment should be accepted, it will undoubtedly destroy the legislation. The purpose of the pending bill is to carry out a policy that was laid down in the act of 1928. There is no indication of an intention to accept the problem of flood control along the Mississippi as purely a national responsibility, and nothing is proposed by way of benefit to that area that

in any way discriminates against any other area of the country. The people along the Mississippi have been dealing with this flood problem for more than a hundred years. They have expended millions of dollars, running up to nearly \$300,000,000.

The CHAIRMAN. The time of the gentleman from Georgia [Mr. Cox] has expired.

Mr. COX. Mr. Chairman, I ask unanimous consent to proceed for 2 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Georgia?

Mr. JENKINS of Ohio. Pending that request, Mr. Chairman, I should like to ask what is the parliamentary situation, and how does the gentleman gain the floor? I understood it was by making a motion to strike out the paragraph. I have no objection to his proceeding, but I want to reply.

The CHAIRMAN. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. COX. The contribution that it is proposed the Government shall make in the bill is, in a measure, to match the contribution already made by people in the affected territory. The people erected their own protective works. They were taken over by the Government and further improved. There is no suggestion coming from that area that the people affected be forever relieved of further contribution to any protective measures that may be adopted by the Government.

Mr. Chairman, if we should accept the principle of the amendment adopted yesterday as the policy of the Government and should follow it to its logical conclusion, it would impose a burden of in excess of \$11,000,000,000 upon the people of this country.

Mr. MILLER. Mr. Chairman, will the gentleman yield?

Mr. COX. I yield.

Mr. MILLER. The amendment adopted yesterday is an exact copy of the provisions of this bill with reference to the Yazoo Reservoir.

Mr. COX. Mr. Chairman, I was for many years a member of the Flood Control Committee of this House and am interested in securing proper legislation. I hope the committee will reject the amendment.

The CHAIRMAN. The time of the gentleman from Georgia has again expired.

The question is on the amendment offered by the gentleman from Ohio [Mr. JENKINS].

The question was taken; and on a division (demanded by Mr. JENKINS of Ohio) there were ayes 57 and noes 34.

Mr. WILSON of Louisiana. Mr. Chairman, I ask for tellers.

Tellers were ordered, and the Chair appointed Mr. Wilson of Louisiana and Mr. JENKINS of Ohio to act as tellers.

The Committee again divided; and the tellers reported there were ayes 70 and noes 44.

So the amendment was agreed to.

The Clerk read as follows:

SEC. 9. The sum of \$15,000,000 is authorized to be appropriated as an emergency fund to be allocated by the Secretary of War on the recommendation of the Chief of Engineers in rescue work or in the repair or maintenance of any flood-control work on any tributary of the Mississippi River threatened or destroyed by flood heretofore or hereafter occurring: *Provided*, That the unexpended and unallotted balance of said sum, or so much thereof as may be necessary, may be allotted by the Secretary of War, on the recommendation of the Chief of Engineers, in the reimbursement of levee districts or others for expenditures heretofore incurred or made for the construction, repair, or maintenance of any flood-control work on any tributaries or outlets of the Mississippi River that may be threatened, impaired, or destroyed by the flood of 1927 or subsequent flood; and also in the construction, repair, or maintenance, and in the reimbursement of levee districts or others for the construction, repair, or maintenance of any flood-control work on any of the tributaries or outlets of the Mississippi River that may have been impaired, damaged, or destroyed by caving banks or that may be threatened or impaired by caving banks, of such tributaries, whether or not such caving has taken place during a flood stage: *Provided further*, That if the Chief of Engineers finds that it has been or will be necessary or advisable to change the location of any such flood-control work in order to provide the protection contemplated by this section, such change may be approved and authorized.



Sec. 10. After the Eudora floodway shall have been constructed and is ready for operation, the fuse-plug levees now at the head of the Boeuf and Tensas Basins shall be constructed to the 1914 grade and the 1928 section. The fuse-plug levees at the head of the Atchafalaya Basin on the west side shall be constructed to the 1914 grade and the 1928 section. The fuse-plug levees at the head of the Atchafalaya Basin on the east side of the Atchafalaya River shall be constructed to the 1914 grade and 1928 section, and, after the Morganza floodway has been completed, shall be raised to the 1928 grade as provided in section 3 of this act. Thereafter those stretches of said levees which are left as fuse-plug levees shall be reconstructed and maintained as herein provided, subject to the provisions of section 3 of this act. Any funds appropriated under authority of this act may be expended for this purpose.

Sec. 11. That the back-protection levee north of the Eudora Floodway shall be constructed to the same grade and section as the levees opposite on the east side of the Mississippi River: *Provided*, That this levee extending from the head of the Eudora floodway north to the Arkansas River shall be so located as to afford adequate space for the passage of floodwaters without endangering the levees opposite on the east side of the river and shall be constructed contemporaneously with the construction of the Eudora floodway; except that, until the Eudora floodway is in operative condition, there shall be left in this back levee north of the head of the Eudora floodway openings which shall be sufficient, in the discretion of the Chief of Engineers, to permit the passage of all floodwaters to be reasonably contemplated in the event of any break in the riverside fuse-plug levee prior to the time the Eudora floodway shall be in operative condition.

Sec. 12. In order to facilitate the United States in the acquisition of flowage rights and rights-of-way for levee foundations, the Secretary of War is authorized to enter into agreements with the States or with local levee districts, boards, commissions, or other agencies for the acquisition and transfer to the United States of such flowage rights and levee rights-of-way, and for the reimbursement of such States or local levee districts, boards, commissions, or other agencies, for the cost thereof at prices previously agreed upon between the Secretary of War and the governing authority of such agencies, within the maximum limitations hereinafter prescribed: *Provided*, That no money appropriated under the authority of this act shall be expended upon the construction of the Eudora floodway, the Morganza floodway, the back-protection levee extending north from the Eudora floodway, or the levees extending from the head of the Morganza floodway to the head of and down the east bank of the Atchafalaya River to the intersection of said Morganza floodway until 75 percent of the value of the flowage rights and rights-of-way for levee foundations, as estimated by the Chief of Engineers, shall have been acquired or options or assurances satisfactory to the Chief of Engineers shall have been obtained for the Eudora floodway, the Morganza floodway, and the area lying between said back-protection levee and the present front-line levees: *Provided further*, That easements required in said areas in connection with roads and other public utilities owned by States or political subdivisions thereof shall be provided without cost to the United States upon the condition that the United States shall provide suitable crossings, including surfacing of like character, over floodway guide-line levees in said areas for all improved roads now constituting a part of the State highway system and shall repair all damage done to said highways within the said floodways by the actual use of such floodways for diversion: *Provided further*, That when such portion of said rights as to all of said areas shall have been acquired or obtained and when said easements required in connection with roads and other public utilities owned by States or political subdivisions thereof have been provided as hereinabove set forth, construction of said flood-control works in said areas shall be undertaken according to the engineering recommendations of the Report of the Chief of Engineers, dated February 12, 1935 (House Committee on Flood Control Doc. No. 1, 74th Cong., 1st sess.), and the Secretary of War shall cause proceedings to be instituted for the condemnation of the remainder of said rights and easements, as are needed and cannot be secured by agreement, in accordance with section 4 of the Flood Control Act of May 15, 1928: *Provided further*, That in no event and under no circumstances shall any of the additional money appropriated under the authority of this act be expended for the acquisition of said 75 percent of the flowage rights and rights-of-way hereinabove contemplated in excess of \$20,000,000: *Provided further*, That the Chief of Engineers is authorized, out of the funds herein authorized to be appropriated, to purchase flowage easements over lands and properties in the floodway west of the Atchafalaya River and lying above the approximate latitude of Krotz Springs: *Provided further*, That none of such easements in said West Atchafalaya floodway shall be purchased until options covering at least 75 percent of the total value of such easements, as estimated by the Chief of Engineers, shall have been obtained at prices deemed reasonable by the Chief of Engineers and not exceeding in the aggregate \$2,250,000 for said 75 percent of said easements with respect to the floodway west of the Atchafalaya River: *Provided further*, That easements required in said West Atchafalaya floodway in connection with roads and other public utilities owned by States or other political subdivisions shall be provided without cost to the United States upon condition that the United States shall provide suitable crossings, including surfacing of like character, over floodway, guide-line levees for all improved roads in said West Atchafalaya floodway now constituting a part of the State highway system, and shall repair all

damage done to said highways within said West Atchafalaya floodway by the actual use of such floodway for diversion: *Provided further*, That no flowage easements shall be paid for by the United States over properties subject to frequent overflow in the Atchafalaya Basin below the approximate latitude of Krotz Springs: *Provided further*, That payment for rights-of-way, easements, and flowage rights acquired under this section, or reimbursement to the States or local interests furnishing them, shall be made as soon as the Chief of Engineers is satisfied that such rights-of-way, easements, or flowage rights have been acquired in conformity with local custom or legal procedure in such matters; and thereafter no liability of any kind shall attach to or rest upon the United States for any further damage by reason of diversions or floodwaters: *And provided further*, That if the Secretary of Agriculture shall determine to acquire any of the properties within the floodways herein referred to, for national forests, wildlife refuges, or other purposes of his Department, the Secretary of War may, upon recommendation by the Chief of Engineers, in lieu of acquiring flowage rights, advance to or reimburse the said Secretary of Agriculture sums equal to those that would otherwise be used for the purchase of easements desired by the War Department, and the Secretary of Agriculture is authorized to use these sums for the purpose of acquiring properties in the floodways in question.

Sec. 13. That \$272,000,000 is hereby authorized to be appropriated for the carrying out of the modified adopted project, and all unexpended balances of appropriations heretofore made for the prosecution of said flood-control project are hereby made available for the purposes of this act.

Mr. MILLER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. MILLER: Page 12, line 20, after the word "that", strike out "\$272,000,000" and insert in lieu thereof "\$398,719,000."

Mr. MILLER. Mr. Chairman, the amendment merely provides for an increase in the authorization in accordance with the amendment adopted yesterday.

Mr. HAINES. Mr. Chairman, will the gentleman yield?

Mr. MILLER. I yield.

Mr. HAINES. I thought it was \$126,000,000 additional.

Mr. MILLER. It is. It simply adds \$126,000,000 to the \$272,000,000. That is the only purpose of the amendment.

I will say frankly that the entire sum will not be necessary, in view of the amendment offered by the gentleman from Ohio [Mr. JENKINS]; but in order to keep the bill in proper shape, the authorization ought to be made, so that the money can be appropriated as and when needed. That is the only purpose of the amendment.

Mr. WILSON of Louisiana. Mr. Chairman, I rise in opposition to the amendment.

I would oppose the approval of the additional authorization for \$126,000,000, because I hope we can formulate the bill so as to keep within the recommendation of the War Department for the completion of this project and carry that out.

Mr. MILLER. Well, will the gentleman yield?

Mr. WILSON of Louisiana. I yield.

Mr. MILLER. The gentleman will admit that the amendment ought to be agreed to now in view of the amendments that have been adopted by the committee?

Mr. WILSON of Louisiana. Well, yes; but I want to be consistent in voting to keep either one out of the bill.

Mr. MILLER. That is all right, but it ought to be agreed to now.

The CHAIRMAN. The time of the gentleman from Louisiana has expired.

Mr. CARLSON. Mr. Chairman, I offer an amendment to the amendment.

The Clerk read as follows:

Amendment offered by Mr. CARLSON to the amendment offered by Mr. MILLER: After the word "that", in line 20, strike out "\$398,719,000", in the Miller amendment, and insert "\$295,719,000."

Mr. CARLSON. Mr. Chairman, the purpose of my amendment is to amend this bill so as to authorize the construction of the Eudora floodway and not appropriate the funds for it at this time. This bill as we have now drawn it contains 26 reservoirs, and in the discussion yesterday it was brought out that they would materially reduce flood dangers through that territory.

I am going to read some testimony in regard to the need of immediately constructing the Eudora floodway. This is



found on page 74 of the hearings in the United States Senate on this bill, and is the testimony given by General Ferguson. Here is the testimony:

Senator OVERTON. General, do you think that it is desirable to have a comprehensive flood-control plan adopted now or do you think it would be better to wait, say, another 2 years or more, to determine the effect of cut-offs and reservoirs and additional outlets and bank-stabilization or other works?

General FERGUSON. I think there should be a plan now, and I reported so last year.

Senator OVERTON. Is it practical to proceed with the works recommended in the lower section—the Atchafalaya and the Morganza—leaving the middle section in its present condition and for future determination?

General FERGUSON. As an engineering problem, yes, sir. As a political problem, that is another question.

Senator OVERTON. Well, of course, from an engineering standpoint you could undertake to work on any section of the river and ignore another section?

General FERGUSON. Yes, sir.

I wanted to call your attention to that testimony. We put in those reservoirs, we authorize the construction of this floodway; and if the commission that is now studying the flood problems of the United States make a report next December to the President of the United States that we need this floodway in addition to other reservoirs in the Mississippi Valley Basin I will be for the appropriation; but I do not believe we should pass it today. I think this bill should be passed with the authorization I have offered as an amendment.

Mr. WHITTINGTON. Mr. Chairman, I move to strike out the last word.

The bill carries an authorization of \$272,000,000. On yesterday the committee adopted an amendment which provides for an additional \$126,000,000 for the construction of 26 reservoirs along the Arkansas and the White Rivers. The gentleman from Arkansas [Mr. MILLER] proposes an amendment to increase the authorization carried in the bill by \$126,000,000. I oppose that amendment. Other gentlemen today opposing the Miller amendment but voting for it yesterday undertook to correct what they said was an error in passing the so-called Jenkins amendment, under which the people in the floodway districts are required to furnish the rights-of-way. With all deference to my colleague from Kansas, the increase of this authorization by \$23,000,000 will by no manner of means eliminate the Eudora floodway.

Mr. CARLSON. Mr. Chairman, will the gentleman yield at this point that I may correct his statement?

Mr. WHITTINGTON. In just a moment. I am saying that if \$272,000,000 will provide for the Eudora floodway, certainly \$295,000,000 will provide for it. I now yield to the gentleman from Kansas.

Mr. CARLSON. My amendment was for \$103,000,000 instead of \$21,000,000.

Mr. WHITTINGTON. The gentleman's amendment made the total carried in this section \$295,719,000; or, I repeat for emphasis, approximately \$23,000,000 more than carried by the bill.

Mr. CARLSON. That is right.

Mr. WHITTINGTON. Under the terms of the bill, with an authorization of \$272,000,000, the Eudora floodway is provided for. Pray tell me how you are going to eliminate it by making the authorization \$295,000,000? There is no way on earth to eliminate the Eudora floodway except through legislation, and it is now too late for such an amendment. The Eudora floodway is already provided for in the bill.

Mr. Chairman, I submit that in my judgment a mistake was made in the adoption of the Miller amendment. This mistake was further accentuated by the adoption of the Jenkins amendment. The adoption of these two amendments will probably require less than \$272,000,000; and I respectfully submit that at least the authorization should remain as reported by the committee, \$272,000,000, because all additional amounts that may be required by the Miller amendment will be offset by the amendment of the gentleman from Ohio [Mr. JENKINS]. I submit that both amendments, that of the gentleman from Kansas and the gentleman from Arkansas [Mr. MILLER], should be voted down.

Mr. RICH. Mr. Chairman, will the gentleman yield?

Mr. WHITTINGTON. Yes; gladly.

Mr. RICH. If we cut out the Eudora floodway authorization of \$102,000,000 we can build those 26 dams for the people out there in the Arkansas and White River Valleys.

Mr. WHITTINGTON. But on yesterday the gentleman voted for them, even though he was opposed to the bill.

Mr. RICH. I am going to vote for this money to help those people out.

Mr. WHITTINGTON. The trouble is the gentleman is not doing that. We cannot eliminate the Eudora floodway; it is utterly impossible to eliminate the Eudora floodway unless we go back and revise and amend the bill.

Mr. RICH. Then, let us go back and amend the bill accordingly.

Mr. WHITTINGTON. We will cross that bridge when we get to it. The trouble with all amendments favored by you is that they are for the defeat of the bill. At the present time you must admit that the two pending amendments are not in order.

Mr. MAIN. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, for my own benefit and, I hope, for the benefit of some of the Members of the House, I want to call attention to some rather significant things about this bill. The first section, apparently, is the meat of the bill, yet I defy anyone on reading the first section of the bill to get the slightest comprehension of what we are attempting to do. It refers to section 43 of a letter from the Chief of Engineers under date of February 12, 1935, and that section appears on page 13 of the Flood Control Committee Document No. 1. It does not mention any figures or allocate any funds for any of these projects.

Therefore, Mr. Chairman, I fail to see how any appropriation or authorization in this bill is going to allocate any portion of the funds to the Eudora floodway. Yesterday we specifically designated \$126,000,000 for the reservoirs on the White and Arkansas Rivers. So far so good. But I would like to have some information on the subject of the status of funds involved in the proposed authorization for the Eudora floodway. I do not find it in the bill, and I do not find it in section 43 of the report of the Chief of Engineers under date of February 12, 1935.

On page 28 of a supplemental report in Document No. 1 of the Flood Control Committee, coming from some gentleman with headquarters at Vicksburg, Miss., we find a figure of \$103,000,000 as the estimate recommended for the Eudora spillway. But that is in section 44 of a supplemental report on page 28. I find no specific information in the bill or in the section referred to in the bill which throws any light upon this proposed allocation of \$103,000,000 for the Eudora spillway.

[Here the gavel fell.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Kansas [Mr. CARLSON] to the amendment offered by the gentleman from Arkansas [Mr. MILLER].

The amendment to the amendment was rejected.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Arkansas [Mr. MILLER].

The amendment was rejected.

The Clerk read as follows:

SEC. 14. If any provision of this act, or the application thereof, to any person or circumstances, is held invalid, the remainder of the act, and the application of such provisions to other persons or circumstances, shall not be affected thereby.

Mr. WHITTINGTON. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, we have now completed the reading of the bill, and the Committee will soon rise. On yesterday the Committee adopted an amendment to provide for 26 reservoirs, offered by the gentleman from Arkansas. Today, in the language of the gentleman from Ohio [Mr. JENKINS], the Committee undertook to correct that mistake by adopting an amendment which he proposed. The amendment which the



gentleman from Ohio offered is taken bodily from an amendment adopted by the Senate to the so-called omnibus flood-control bill, passed by the House in July of last year.

Mr. Chairman, in my opinion that amendment has no place in the pending bill. The omnibus bill passed by the House and Senate does not undertake to deal with the lower Mississippi River. When the Republican Party was in control in 1928 it was ordained by statute that in the lower Mississippi there should be a floodway through the Boeuf Basin. Some of us who lived in that area then and live there now felt that the provisions were inadequate and indefinite. There is no provision for floodways or diversions in the omnibus bill. Only the pending bill provides for floodways.

Mr. Chairman, what is the effect of the language inserted by the Jenkins amendment? It is nothing more or less than that the people living in the Eudora floodway, an area 10 miles wide and almost 100 miles long, will be required to pay the cost of their own destruction. Mr. Chairman, after your Flood Control Committee has considered the pending legislation for a year and a half, will the House now crucify the bill to clarify the Flood Control Act of 1928, passed when the Republicans were in control? In the Overton bill we are undertaking to clarify and to perfect the act of 1928, and the bill follows to the letter the recommendation of the Chief of Engineers, except as to section 5, which is recommended by the Mississippi River Commission.

As pointed out by the gentleman from Arkansas [Mr. McCLELLAN], there are pending suits aggregating millions of dollars because of defects which this bill undertakes to correct; moreover, there are two floodways in the lower Atchafalaya Basin. Is it reasonable to suppose that the people in the lower Atchafalaya Basin, in the Tensas Basin in Louisiana and Arkansas, called upon to furnish 1,000,000 acres of land, will furnish their land and at the same time pay the cost of their own crucifixion? Such is the effect of the amendment so far as floodways in the pending bill are concerned adopted by the committee today, as proposed by the gentleman from Ohio [Mr. JENKINS].

The Government is protected as to land values in the pending bill. The Senate modified the bill providing for these floodways so as not to permit more than \$20,000,000 to be paid for 75 percent of all the land, the flowage rights, the utilities, schools, churches, drainage systems, and all public and private improvements because the Government of the United States made a monumental mistake in ever permitting the Cypress Creek diversion near Arkansas City to be closed in 1921.

I urge that the Jenkins amendment be eliminated or modified in order to prevent the destruction of the bill.

I extend my remarks, under leave granted, by saying that under the Flood Control Act of May 15, 1928, the States and local interests are required to provide rights-of-way for levees along the main river, but under the terms of the act, floodways and spillways were to be constructed at Federal expense. Such a floodway was constructed and took a large area of land in southeast Missouri. The Bonne Carre spillway in Louisiana has been constructed, but the Boeuf diversion in the vicinity of Arkansas City, which will really constitute a new river some 15 miles wide and 100 miles long, has not been constructed because no provision has been made to compensate property owners for damages and flowage rights to approximately 1,000,000 acres of land. The provision for diversion through the Boeuf Basin remains, but no compensation has been made. Suits for millions of dollars in damages are pending. The pending bill to provide for a smaller diversion at less expense to the Government substitutes the Eudora floodway for the Boeuf diversion. The Eudora floodway is approximately 10 miles wide; the lands are located in southeast Arkansas and in the Tensas Basin in Louisiana. The floodway embraces approximately 822,000 acres of land.

There are two additional floodways in the Atchafalaya Basin in Louisiana; they embrace about 175,000 acres.

There are no such projects in the omnibus flood-control bill. The lower Mississippi River is not provided for in that bill. The pending bill carries \$72,000,000 for navigation and the remainder is largely for flood-control works; only a small amount will be paid to property owners for damages to property.

In the St. Francis River project, located wholly in the alluvial valley, if levees are constructed, the local interests will pay for the rights-of-way. The same situation will obtain along the Yazoo River. In the St. Francis, reservoirs can only be substituted for levees provided the expense to the Federal Government will not exceed the costs in the event the levee system obtains along the St. Francis River.

The amendment provides for the policy in the omnibus flood-control bill as adopted by the Senate. That bill embraces other rivers in practically every State in the Union. The same yardstick will be applied to all of the States and to all rivers, but in the pending bill floodways are to be provided to accommodate the waters that come from 31 States of the Union and without flood-control works, in maximum floods the entire lower Mississippi Valley constitutes a mighty river 50 miles wide and 1,100 miles long. The floodways are made necessary because of the floods that accumulate largely in the State of Louisiana from 31 States of the Union. They constitute a national burden.

The pending amendment deals with no such situation. It can have no application along the lower Mississippi River; it should be eliminated.

The reservoirs along the Yazoo are recommended by the Chief of Engineers. In his report the Chief of Engineers states that the lands in the Yazoo Basin have paid more than \$50,000,000 for flood-control works along the Mississippi River; they are now providing for rights-of-way and for maintenance. In addition, the area along the Yazoo River system has expended more than \$20,000,000, according to the Chief of Engineers, to provide local flood-control works that are inadequate. The Yazoo River is affected by the backwaters of the Mississippi River. I repeat, to emphasize, that the Chief of Engineers recommends both the Yazoo and the St. Francis projects just as they appear in the pending bill.

The case is different with the 26 reservoirs along the Arkansas and the White. The areas protected by these reservoirs do not now contribute, nor have they ever contributed, to flood-control works along the Mississippi River. According to the Chief of Engineers, while the Federal Government has expended some \$285,000,000 for flood-control in the lower Mississippi Valley and \$160,000,000 for navigation along the Mississippi River, in all of the history of the Government, the local interests have fully complied with the principle of local contribution by having paid prior to 1928, \$292,000,000, and by having paid since 1928, according to the Chief of Engineers, more than \$41,000,000 additional.

I agree that a mistake was made in inserting the reservoirs along the Arkansas and the White. Protection will be provided for the tributaries without any local contribution for rights-of-way. The same is not true of the lower Mississippi Valley. There the people must pay for the rights-of-way for levees along the Mississippi River. The cases of these reservoirs are altogether different from the reservoirs along the St. Francis and the Yazoo; they are not in the alluvial valley; they have never paid for protection in the valley that they are not now receiving.

The gentleman from Ohio [Mr. JENKINS] and the gentleman from Pennsylvania [Mr. RICH] have both stated that they voted for the 26 reservoirs along the Arkansas and White under a misapprehension. The answer is that they voted for the amendment with their eyes open. It was a mistake. The amendment requiring the local interests to provide floodways is another mistake. One mistake cannot be corrected by making another. The remedy is to eliminate both mistakes. The 26 reservoirs along the Arkansas and the White, as provided by the amendment of the gentleman from Arkansas, and the requirement for the local interests



to pay for lands and for flowage rights in the floodways and reservoirs along the lower Mississippi River, should both be eliminated from the pending bill.

Mr. JENKINS of Ohio. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, this is an impassioned last-minute plea on the part of the gentleman from Mississippi [Mr. WHITTINGTON] in an effort to undo what we did a little while ago after a long, stubborn, and fair debate. He is making this speech with the hope that when the bill comes up for final passage and he demands a separate vote on the Jenkins amendment that you will undo what you have already done by voting down my amendment. You will not be so fickle as to change your minds just to save the pride of the committee. In 1928 this House voted more than \$300,000,000 for the improvement and protection of the Mississippi Valley floodway. At that time it was not contemplated that the improvement we are voting on today was absolutely necessary. We spent that much money, and we did everything that the Army Engineers said at that time should be done.

Let us have this out on a fair argument. We voted that amount of money and spent that amount of money in the lower Mississippi Valley. They come forward today with a bill calling for approximately \$300,000,000 more, and to that was added yesterday another \$126,000,000. This makes a total of nearly \$500,000,000 which this Congress is going to appropriate for three or four States in that territory down there. That may be all right, and if it is right I am in favor of it, but I say it is not all right to vote that much money and then come in here next week and vote for an omnibus flood-control bill which takes in Colorado, Iowa, Pennsylvania, New England, Ohio, and practically 95 percent of the United States, and put upon them a different yardstick and a different burden by which they must pay for improvements in their respective sections. That bill will provide for every dollar's worth of improvements which the Government puts into the projects provided for therein. The people must provide the rights-of-way and must provide for the payment of damages. That bill will provide just as my amendment seeks to have this bill provide; it will provide that the Government will not construct any project unless some local authority, State, or municipality will come forward with a substantial contribution.

Mr. Chairman, does the gentleman from Mississippi mean to say that he can conscientiously stand up here next week, when the other flood-relief bill comes up for consideration, and as a member of the Flood Relief Committee, say to the Pittsburgh district, to Pennsylvania, and to all other parts of the United States that they will have to pay for their own improvements while down in the Southland in his State he has provided that the Government shall pay the total cost of their projects without any State or local participation whatsoever? Is this a battle between the Northland and Southland? But why should the three States of Arkansas, Mississippi, and Louisiana have an appropriation of over \$400,000,000, free from local participation, while all the other 45 States will be getting about one-half that much and will be called upon to match in most instances dollar for dollar with the Government for all projects constructed in these 45 other States?

Mr. WHITTINGTON. Will the gentleman yield?

Mr. JENKINS of Ohio. No; I prefer not to yield at this time.

Mr. Chairman, I ask in all frankness, are we going to say to one section that we will build their improvements, we will pay everything, and then say to the Ohio Valley, the Connecticut Valley, the northern Mississippi Valley, the Missouri Valley, and all other sections of the United States that if they want the Government to put in improvements they will have to put up dollar for dollar? No; that is not fair; it is not reasonable; it is not just and will not prevail.

I appeal to the Members on the Democratic side to maintain their position on the Jenkins amendment, because the President has put his stamp of approval on it. The position of Senator COPELAND and the action of the Senate yesterday

indicate what the position of the President is. He will not approve any plan that does not call for local contributions and local participation. He has already made his position, and if you want your bill passed you should leave the Jenkins amendment in it, because it provides for what the President of the United States wants done.

Mr. WHITTINGTON. Mr. Chairman, will the gentleman yield?

Mr. JENKINS of Ohio. I yield.

Mr. WHITTINGTON. Is there any project in the amendment to which the gentleman has referred, passed by the Senate, that provides for three floodways 10 miles wide and taking 200,000 acres of land?

Mr. JENKINS of Ohio. That is not the point. We have not recognized or challenged the merits or the necessity of any of these projects. We have no special interest in that floodway. If that floodway is so necessary, why did you not build it with the \$325,000,000 that we gave you last year and the year before? That is simply a continuation of a project that is going to call for about \$1,000,000,000, and you want this Congress to vote \$1,000,000,000 to your section, and you do not propose to contribute a nickel, but whenever the floods come 25-feet high in the business houses of Pittsburgh, and rise 25 feet in the business districts of New England, and when the beautiful, prosperous, and thickly populated Ohio Valley is inundated from hill to hill with a great sea of murky water 1,000 miles long, carrying danger, sickness, and death to hundreds of its citizens, and hundreds of millions of dollars in damages to the people, the municipalities, and the States, you want to have them stand for this loss year after year; and when they ask for relief from the Government you want to say to them, "You shall not have any relief unless you match dollar for dollar with the Government." No, my friends, do not be misled.

You should stay with your vote on this amendment, because it is reasonable, it is fair, and it is just. [Applause.] [Here the gavel fell.]

Mr. McCLELLAN. Mr. Chairman, I rise in opposition to the pro-forma amendment.

Mr. Chairman, it is very unfortunate to have these controversies, but we ought not to proceed here with a misunderstanding and on misstatements of facts put into the Record by the gentleman from Ohio.

Those who are now determined to defeat this bill make the statement that back in 1928, when this legislation came up, \$325,000,000 was appropriated to carry out and execute this project. I say to you that was only appropriated as a part of the expense then known to be necessary, and the Chief of Army Engineers at that time so reported, and it was known by the Congress in passing on the legislation that an expenditure of \$775,000,000 would be necessary to complete this project. The 1928 act was adopted with that knowledge in the possession of Congress at the time and an appropriation was made to carry on the work as far as \$325,000,000 would go.

Almost all of this money has been expended, and the Army engineers, acting pursuant to a resolution adopted by your Flood Control Committee, after having made a further study of the matter, report that if you will substitute the Eudora floodway for the Boeuf, the cost of which was included in the estimate of \$775,000,000, the work can be done at less expense and at a saving of millions of dollars and that it will conserve 500,000 acres of the most fertile lands of the Mississippi Valley and keep it for utilization instead of converting it into a floodway. The highest authority, the authority upon which the President of the United States must rely and the authority upon which you and I, as Members of Congress, ought to rely for guidance upon technical problems of this sort, has so recommended.

So this is not a plea for more money. It is only legislation for the authorization of the money that was contemplated in the adopted project and plan for the control of floods in the lower Mississippi.

May I make this observation, in conclusion? Mr. Chairman, we have a fight here for flood control. This Nation



is flood-control conscious. They want flood-control legislation. Here is an adopted project that has been recommended by the proper authorities. Vote against this bill today and you vote to retard the progress that this Nation is looking forward to in flood-control legislation. Here is your fight on this—Republican—side of the House. Are we going to follow them today? The chairman of the Flood Control Committee that reported out the original 1928 act and passed it was a Republican. We are trying to carry out the program then adopted. Today you find the opposition to a progressive flood-control program for this Nation over there on the Republican side, where we might expect it. I call upon you as Democrats who sympathize with flood-control legislation, not to crucify this bill with this Republican amendment that will destroy it and delay and postpone the day when we may have protection in this great valley and when you will get flood relief in Pennsylvania, Ohio, and in other States and valleys of the Nation. I ask my Democratic friends to support the bill.

Mr. WILSON of Louisiana. Mr. Chairman, I ask unanimous consent that all debate on this section and all amendments thereto close in 15 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. RICH. Mr. Chairman, all I wish to say to the committee at this time is that I am not trying to obstruct flood-control legislation, as stated by the gentleman from Arkansas [Mr. McCLELLAN]. I think the time has come when the Nation is flood-control conscious, but there was a bill passed in the Senate yesterday taking care of all the country. The Mississippi Valley now has \$63,000,000 to spend at the present time and they will not suffer. We have done more for them than any other section of the country regarding flood control.

I want to see a flood-control bill for the lower Mississippi, but it ought to be handled in the same way that it is in all other sections of the country. Let us treat everybody in this country alike, regardless of where they live.

[Here the gavel fell.]

Mr. GRISWOLD. Mr. Chairman, I regret that the gentleman from Arkansas precipitated a partisan question. This is not a partisan matter. Waters that come down the Wabash, waters that come down the Ohio, waters that come down through Pennsylvania and Connecticut are not a partisan question, and we are only asking justice for those States. Under this bill the reservoirs should be paid for in the same way that flood control is paid for under the omnibus bill passed by the Senate on yesterday. We want to help these people in the lower Mississippi, if it is possible to help them. We also want to help those in other sections who have lost their farms because they could not pay the damages caused by the flood and taxes too.

We want those in other States to have the same rights that you give the people in the lower Mississippi. What is sauce for the goose is sauce for the gander. Let us have it that way. Let us make this Overton bill conform to the omnibus Senate bill as the Jenkins amendment does make it.

The omnibus flood-control bill was passed and went to the Senate last session. For some reason it was held up until the Overton bill came out. The Overton bill was not introduced until this session. That bill passed the Senate and came to the House. It gave the omnibus flood bill the "run around." There was a gentleman in the other body who took the attitude, when the Overton bill was up, that only the Engineers' report could be accepted, and that same gentleman yesterday voted to take the projects in the omnibus bill out of the Engineers' hands and put it in the hands of someone else.

Let us make this bill as it should be. Let us have a national policy. What is sauce for the goose is sauce for the gander. [Applause.]

Mr. WILSON of Louisiana. Mr. Chairman, I want this bill to have a fair and reasonable consideration, but I do not know any way by which we can do it satisfactorily with the amendment of the gentleman from Ohio in the bill. That

amendment is connected with the Senate omnibus flood bill, but it has no place in this bill. This project in the lower Mississippi Valley, authorized by this bill, is not on the same basis as any other flood-control project in America.

Mr. JENKINS of Ohio. Mr. Chairman, will the gentleman yield?

Mr. WILSON of Louisiana. Yes.

Mr. JENKINS of Ohio. When we passed the omnibus bill last year—the bill the gentleman speaks of—the bill went over to the Senate, and the Senate put it on the shelf by reason of a speech by Senator TYDINGS, did it not?

Mr. WILSON of Louisiana. I do not know what it did. I know that we passed it, and that we expect to carry it out, and that we have spent in the Ohio River, without any local contribution, over \$160,000,000.

Mr. JENKINS of Ohio. Is it not a fact that the Senate put it on the shelf by reason of Senator TYDINGS' speech, and he made fun of it because it did not have any yardstick in it or measurement at all? That is what they put in the bill yesterday in the Senate.

Mr. WILSON of Louisiana. We are not responsible for that. Take the Ohio River. We spent over \$160,000,000 there, without local contribution, but in this alluvial valley the Government, after close consideration, acknowledged a national responsibility to carry out that project to completion. There are some 30,000 square miles of territory that must carry the drainage of practically 45 percent of the Nation. The local communities there had contributed much more than others will under the basis of the Jenkins amendment. They have already complied with it, and because of that and in acknowledgment of this national obligation we come forward here with a recommendation for the completion of the project. I appeal to the membership against the amendment that will destroy this opportunity.

Mr. WHITTINGTON. Mr. Chairman, will the gentleman yield?

Mr. WILSON of Louisiana. Yes.

Mr. WHITTINGTON. Something has been said about the President's view. Does not the Chief of Engineers recommend this bill, as it is advocated by the committee?

Mr. WILSON of Louisiana. Yes; and in the floodways is where the burden is placed by carrying the water. Take the lower Atchafalaya Basin. There are 60,000 acres in one floodway to carry the water, sometimes as high as a million cubic feet per second. The Government has allotted a little over \$2,000,000 to pay for the flowage rights there for all time. In the Eudora floodway there are 922,000 acres, and less than \$15,660,000 is allotted to provide for the flowage rights for all time to come. So it is not upon the basis of the other projects. I have advocated those and expect to do so to carry out a comprehensive program. I am free to say that you are getting more relief, more Federal assistance, under the Senate bill for those areas outside of the Mississippi Valley than has been given to the lower Mississippi Valley.

The CHAIRMAN. The time of the gentleman from Louisiana has expired. All time has expired. Under the rule the Committee will rise.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. FLANNAGAN, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee had had under consideration the bill S. 3531, and, pursuant to House Resolution 561, he reported the same back to the House with sundry amendments adopted in the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered. Is a separate vote demanded on any amendment?

Mr. WILSON of Louisiana. Mr. Speaker, I demand a separate vote upon the Jenkins amendment.

The SPEAKER. Is a separate vote demanded on any other amendment? If not, the Chair will put the other amendments en gros. The question is on agreeing to the remaining amendments.

The amendments were agreed to.



The SPEAKER. The Clerk will report the Jenkins amendment.

The Clerk reported the Jenkins amendment.

The SPEAKER. The question is on agreeing to the amendment.

The question was taken; and on a division (demanded by Mr. JENKINS of Ohio) there were—ayes 74, noes 61.

So the Jenkins amendment was agreed to.

The SPEAKER. The question now is on the third reading of the Senate bill.

The bill was ordered to be read a third time and was read the third time.

The SPEAKER. The question now is on the passage of the bill.

The question was taken; and on a division (demanded by Mr. WHITTINGTON) there were—ayes 88, noes 79.

Mr. SNELL. Mr. Speaker, I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 161, nays 156, not voting 109, as follows:

[Roll No. 106]

#### YEAS—161

Ayers	Dunn, Pa.	McFarlane	Romjue
Bankhead	Eckert	McGehee	Ryan
Biermann	Englebright	McGrath	Sabath
Bland	Faddis	McLaughlin	Sanders, La.
Bloom	Fernandez	McMillan	Sandlin
Brown, Ga.	Flannagan	McReynolds	Scott
Brown, Mich.	Ford, Calif.	McSwain	Secrest
Burdick	Ford, Miss.	Mahon	Short
Cannon, Mo.	Fuller	Maloney	Sisson
Cannon, Wis.	Fulmer	Mansfield	Smith, Wash.
Carpenter	Gassaway	Martin, Colo.	Smith, W. Va.
Cartwright	Gildea	Mason	Snyder, Pa.
Clark, Idaho	Goldsborough	Massingale	South
Cochran	Greenway	Maverick	Spence
Colden	Greenwood	Mead	Stack
Collins	Greever	Meeks	Starnes
Colmer	Gregory	Miller	Steagall
Cooper, Tenn.	Griswold	Monaghan	Stubbs
Costello	Haines	Mott	Summers, Tex.
Cox	Hamlin	Nelson	Sweeney
Cravens	Hart	Nichols	Taylor, Colo.
Crosby	Healey	Norton	Terry
Cross, Tex.	Hildebrandt	O'Connor	Thomason
Crosser, Ohio	Hill, Ala.	O'Day	Thompson
Cummings	Hill, Knute	O'Malley	Tolan
Curley	Houston	Owen	Turner
Daly	Jacobsen	Parks	Vinson, Ky.
Delaney	Johnson, Okla.	Parsons	Wallgren
Dempsy	Johnson, W. Va.	Patman	Wearin
DeRouen	Kennedy, Md.	Patterson	Weaver
Dies	Kenney	Patton	Welch
Disney	Kociakowski	Pearson	West
Dobbins	Kopplemann	Pierce	Whichel
Dockweiler	Kramer	Pittenger	White
Doxey	Lea, Calif.	Ramsay	Whittington
Drewry	Lemke	Randolph	Williams
Driscoll	Lewis, Colo.	Rankin	Wilson, La.
Driver	Lewis, Md.	Rayburn	Zimmerman
Duffy, N. Y.	Lucas	Reed, Ill.	
Duncan	Lundeen	Richards	
Dunn, Miss.	McClellan	Rogers, Okla.	

#### NAYS—156

Allen	Darden	Hobbs	Marshall
Amie	Darrow	Hoffman	Martin, Mass.
Andresen	Dietrich	Hollister	May
Andrews, N. Y.	Ditter	Holmes	Merritt, Conn.
Arends	Dondero	Huddleston	Merritt, N. Y.
Ashbrook	Edmiston	Hull	Michener
Bacon	Ekwall	Imhoff	Millard
Beiter	Ellenbogen	Jenkins, Ohio	Mitchell, Ill.
Blackney	Engel	Johnson, Tex.	Moran
Blanton	Evans	Jones	Moritz
Boehne	Farley	Kahn	O'Brien
Boileau	Fiesinger	Kleberg	O'Connell
Buchanan	Fish	Kloeb	O'Leary
Buckler, Minn.	Fitzpatrick	Kniffin	O'Neal
Burch	Fletcher	Knutson	Palmisano
Carlson	Focht	Kvale	Peterson, Ga.
Castellow	Frey	Lambertson	Pettengill
Christianson	Gavagan	Lambeth	Peyser
Church	Gehrmann	Lamneck	Plumley
Citron	Gilchrist	Lanham	Polk
Coffee	Gillette	Larrabee	Powers
Cole, Md.	Gingery	Lehlbach	Ramspeck
Cole, N. Y.	Granfield	Lucky	Ransley
Connery	Gray, Ind.	Ludlow	Reece
Cooley	Guyer	McAndrews	Reed, N. Y.
Cooper, Ohio	Halleck	McCormack	Rich
Crawford	Hancock, N. Y.	McLean	Richardson
Creal	Harlan	McLeod	Roberts
Crowe	Hess	Main	Robson, Ky.
Crowther	Higgins, Conn.	Mapes	Rogers, Mass.
Culkin	Higgins, Mass.	Marcantonio	Rogers, N. H.

Russell	Snell	Thom	Warren
Sanders, Tex.	Stefan	Thurston	Wigglesworth
Sauthoff	Stewart	Tinkham	Withrow
Schneider, Wis.	Sutphin	Tobey	Wolcott
Schulte	Taber	Tonry	Wolverton
Shanley	Tarver	Turpin	Woodruff
Smith, Conn.	Taylor, S. C.	Umstead	Woodrum
Smith, Va.	Taylor, Tenn.	Vinson, Ga.	Young

#### NOT VOTING—109

Adair	Chapman	Harter	Quinn
Andrew, Mass.	Clalborne	Hartley	Rabaut
Bacharach	Clark, N. C.	Hennings	Reilly
Barden	Corning	Hill, Samuel B.	Risk
Barry	Cullen	Hoeppel	Robinson, Utah
Beam	Dear	Hook	Sadowski
Bell	Deen	Hope	Schaefer
Berlin	Dickstein	Jenckes, Ind.	Schuetz
Binderup	Dingell	Kee	Scrugham
Boland	Dirksen	Keller	Sears
Bolton	Dorsey	Kelly	Seger
Boykin	Doughton	Kennedy, N. Y.	Shannon
Boylan	Doutrich	Kerr	Sirovich
Brennan	Duffey, Ohio	Kinzer	Somers, N. Y.
Brewster	Eagle	Lee, Okla.	Sullivan
Brooks	Eaton	Lesinski	Treadway
Buck	Elcher	Lord	Utterback
Buckley, N. Y.	Fenerty	McGroarty	Wadsworth
Bulwinkle	Ferguson	McKeough	Walter
Burnham	Gambrill	Maas	Werner
Caldwell	Gasque	Mitchell, Tenn.	Wilcox
Carmichael	Gearhart	Montague	Wilson, Pa.
Carter	Gifford	Montet	Wolfenden
Cary	Goodwin	Murdock	Wood
Casey	Gray, Pa.	Oliver	Zioncheck
Cavicchia	Green	Perkins	
Celler	Gwynne	Peterson, Fla.	
Chandler	Hancock, N. C.	Pfeifer	

So the bill was passed.

The Clerk announced the following pairs:

On this vote:

Mr. Claiborne (for) with Mr. Bolton (against).  
 Mr. Chandler (for) with Mr. Kinzer (against).  
 Mrs. Jenckes of Indiana (for) with Mr. Reilly (against).  
 Mr. Dear (for) with Mr. Gifford (against).  
 Mr. Hennings (for) with Mr. Seger (against).  
 Mr. Dorsey (for) with Mr. Maas (against).  
 Mr. Boykin (for) with Mr. Hope (against).  
 Mr. Wood (for) with Mr. Bacharach (against).  
 Mr. Montet (for) with Mr. Wilson of Pennsylvania (against).

General pairs:

Mr. Boland with Mr. Burnham.  
 Mr. Doughton with Mr. Treadway.  
 Mr. Sears with Mr. Carter.  
 Mr. Cary with Mr. Eaton.  
 Mr. Samuel B. Hill with Mr. Risk.  
 Mr. Corning with Mr. Wadsworth.  
 Mr. Granfield with Mr. Perkins.  
 Mr. Cullen with Mr. Dirksen.  
 Mr. Hancock of North Carolina with Mr. Fenerty.  
 Mr. Green with Mr. Wolfenden.  
 Mr. Sullivan with Mr. Lord.  
 Mr. Kelly with Mr. Hartley.  
 Mr. Mitchell of Tennessee with Mr. Gwynne.  
 Mr. Clark of North Carolina with Mr. Brewster.  
 Mr. Beam with Mr. Cavicchia.  
 Mr. Dingell with Mr. Goodwin.  
 Mr. Bulwinkle with Mr. Andrew of Massachusetts.  
 Mr. Kerr with Mr. Doughton.  
 Mr. Schuetz with Mr. Gearhart.  
 Mr. Casey with Mr. Robinson of Utah.  
 Mr. Gambrill with Mr. Werner.  
 Mr. Elcher with Mr. Murdock.  
 Mr. Lee of Oklahoma with Mr. Kee.  
 Mr. Harter with Mr. Pfeifer.  
 Mr. Gray of Pennsylvania with Mr. Celler.  
 Mr. Hook with Mr. Barden.  
 Mr. Shannon with Mr. Deen.  
 Mr. McGroarty with Mr. Walter.  
 Mr. Ferguson with Mr. Wilcox.  
 Mr. Montague with Mr. Sadowski.  
 Mr. Chapman with Mr. Barry.  
 Mr. Peterson of Florida with Mr. Keller.  
 Mr. Carmichael with Mr. Quinn.  
 Mr. Caldwell with Mr. Kennedy of New York.  
 Mr. Schaefer with Mr. Bell.  
 Mr. McKeough with Mr. Sirovich.  
 Mr. Rabaut with Mr. Buckley of New York.  
 Mr. Binderup with Mr. Buck.  
 Mr. Somers of New York with Mr. Gasque.  
 Mr. Zioncheck with Mr. Berlin.  
 Mr. Scrugham with Mr. Adair.  
 Mr. Oliver with Mr. Duffey of Ohio.  
 Mr. Utterback with Mr. Brennan.  
 Mr. Eagle with Mr. Brooks.

Mr. ELLENBOGEN changed his vote from "aye" to "no."

Mr. SANDERS of Texas changed his vote from "no" to "aye."



Mr. DELANEY changed his vote from "no" to "aye."  
 Mr. THOMASON changed his vote from "no" to "aye."  
 Mr. McFARLANE changed his vote from "no" to "aye."  
 Mr. RYAN changed his vote from "no" to "aye."

The result of the vote was announced as above recorded.

On motion by Mr. WILSON of Louisiana, a motion to reconsider the vote by which the bill was passed was laid on the table.

#### INTERIOR DEPARTMENT APPROPRIATION BILL, 1937

Mr. TAYLOR of Colorado. Mr. Speaker, I call up the bill (H. R. 10630) making appropriations for the Department of the Interior for the fiscal year ending June 30, 1937, and for other purposes, and I move that the House further insist upon its disagreement to amendments 24, 53, and 54, and agree to the conference asked by the Senate.

The Clerk read the title of the bill.

The SPEAKER. The gentleman from Colorado moves that the House further insist on its disagreement to Senate amendments 24, 53, and 54, and agree to the conference asked by the Senate.

The question is on the motion of the gentleman from Colorado.

Mr. AYERS. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. AYERS. What is this conference report?

The SPEAKER. The conference report on the Interior Department appropriation bill.

Mr. TAYLOR of Colorado. It is on the three amendments still in dispute between the Senate and the House. We have agreed upon 88 of the amendments, but there are three upon which we have not agreed.

Mr. AYERS. Is the gentleman asking that we yield all the rights that we have on irrigation and reclamation?

Mr. TAYLOR of Colorado. We must go back to conference. We do not yield any of the rights.

Mr. AYERS. I want to know if the chairman of the Committee on Appropriations still maintains his right that the House insist on its disagreement to all of the Indian irrigation program amendments that were put in by the Senate.

Mr. BUCHANAN. I will state that this motion is to appoint conferees to consider those three amendments again. We have forfeited no rights, and before they can be adopted they will have to be brought back here for a separate vote.

Mr. AYERS. But when the gentleman says "we have forfeited no rights", it means that you have not forfeited any right that is against all of us from the irrigation districts. Is that right or not?

Mr. BUCHANAN. We have to come back to the House. When I said "we" I meant the entire membership of the House. Whatever is done has to come back to the House for a vote in the House before anything final can happen.

Mr. AYERS. Does that mean the same steam-roller program that was put over on us Wednesday?

Mr. BUCHANAN. I do not know why the gentleman calls it a "steam-roller program." It means the same character of fight, if you insist on those amendments passing. I will state that to the gentleman.

Mr. TAYLOR of Colorado. This is the regular procedure, and the only course we can adopt is to further insist on our disagreements and have a further conference.

Mr. AYERS. All I want to know is, are we 11 States going to have a chance for our "white alley" or are we going to be subdued by New York and the Northeast and Texas, which State has forgotten its rights to us and has gone "New England." Good-bye, Texas; we thought we were associated, but we were wrong. You belong to New England. We are sorry to lose you, but Tammany says what you shall do. And God forgive you—but do it.

Mr. SNELL. Mr. Speaker, the regular order.

The SPEAKER. The regular order is demanded.

The question is on the motion of the gentleman from Colorado [Mr. TAYLOR].

The motion was agreed to; and the Speaker appointed the following conferees: Mr. TAYLOR of Colorado, Mr. JACOBSEN, Mr. JOHNSON of Oklahoma, Mr. SCRUGHAM, Mr. LAMBERTSON, and Mr. WIGGLESWORTH.

#### DISCRIMINATION IN MERCHANDISING

Mr. SABATH, from the Committee on Rules, submitted the following report (Rept. No. 2753, H. Res. 523) for printing in the RECORD:

#### House Resolution 523

*Resolved*, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of H. R. 8442, a bill "Making it unlawful for any person engaged in commerce to discriminate in price or terms of sale between purchasers of commodities of like grade and quality, to prohibit the payment of brokerage or commission under certain conditions, to suppress pseudo-advertising allowances, to provide a presumptive measure of damages in certain cases, and to protect the independent merchant, the public whom he serves, and the manufacturer from whom he buys from exploitation by unfair competitors." And all points of order against said bill are hereby waived. That after general debate, which shall be confined to the bill and continue not to exceed 4 hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the reading of the bill for amendment the Committee shall rise and report the same to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit, with or without instructions.

#### LOSS TO UNITED STATES GOVERNMENT THROUGH DELIVERY OF CHECKS BY MAIL

Mr. MEAD. Mr. Speaker, I call up the conference report on the bill (H. R. 9496) to protect the United States against loss in the delivery through the mails of checks in payment of benefits provided for by laws administered by the Veterans' Administration, and I ask unanimous consent that the statement may be read in lieu of the report.

The Clerk read the title of the bill.

Mr. BUCHANAN. Mr. Speaker, I make a point of order on the conference report that it includes an appropriation which is contrary to the rules of the House and the Senate.

The SPEAKER. Will the gentleman reserve the point of order until the statement is read?

Mr. BUCHANAN. Yes, Mr. Speaker; I will reserve the point of order.

The SPEAKER. Is there objection to the request of the gentleman from New York [Mr. MEAD] that the statement may be read in lieu of the report?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

#### CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 9496) to protect the United States against loss in the delivery through the mails of checks in payment of benefits provided for by laws administered by the Veterans' Administration, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendments of the Senate, and agree to the same.

JAS. M. MEAD,  
 DONALD C. DOBBINS,  
 PHILIP A. GOODWIN,  
*Managers on the part of the House.*  
 KENNETH MCKELLAR,  
 CARL HAYDEN,  
 LYNN J. FRAZIER,  
*Managers on the part of the Senate.*

#### STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the bill (H. R. 9496) to protect the United States against loss in the delivery through the mails of checks in payment of benefits provided for by laws administered by the Veterans' Administration, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

The amendments inserted in the bill by the Senate and agreed to by the House conferees add two sections to the bill, as follows:

Section 2, which deals entirely with the mailing of bonds for the payment of the adjusted-service compensation certificates, under an act of Congress recently passed, which legislation is urgently recommended by both the Treasury and the Post Office Departments; and

Section 3, which increases the salaries of the four Assistant Postmasters General from \$9,000 to \$10,000 per annum. In this



connection it is to be noted that 15 officials, assistants in various capacities to Cabinet officers, are receiving salaries of \$10,000 per annum:

Department of State.....	1
Treasury Department.....	7
War Department.....	1
Department of Justice.....	2
Department of the Interior.....	1
Department of Agriculture.....	3

In the so-called independent agencies, where administration is similar in many respects to that of the regular departments, officials in comparable assignments to those of the Assistant Postmasters General are receiving salaries ranging from \$10,000 to \$12,500 per annum:

Interstate Commerce Commission:	
4 at.....	\$10,000
11 at.....	12,000
Shipping Board, 3 at.....	10,000
Federal Power Commission, 4 at.....	10,000
Federal Trade Commission, 4 at.....	10,000
U. S. Tariff Commission, 4 at.....	11,000
General Accounting Office, 1 at.....	10,000
Board of Tax Appeals, 16 at.....	10,000
Reconstruction Finance Corporation:	
22 at.....	10,000
2 at.....	12,500
Federal Home Loan Bank Board, 6 at.....	10,000
Veterans' Administration, 1 at.....	12,000
Federal Communications Commission, 7 at.....	10,000
International Joint Commission, 3 at.....	10,000
Mixed Claims Commission, 2 at.....	10,000
National Recovery Administration, 8 at.....	plus 10,000
Federal Emergency Administration of Public Works, 1 at.....	10,000
Federal Emergency Relief Administration, 1 at.....	10,000
Emergency Conservation Works, 1 at.....	12,000
Farm Credit Administration, 8 at.....	10,000
Federal Coordinator of Transportation, 6 at.....	plus 10,000
Foreign Trade Adviser and head of Export-Import Banks, 1 at.....	12,000
Federal Alcohol Control Administration, 3 at.....	10,000
National Labor Relations Board, 3 at.....	10,000
Federal Housing Administration, 1 at.....	10,000
Securities and Exchange Commission, 5 at.....	10,000

There are approximately 143 officials in the executive branch of the Government in these categories. This group does not include the judicial or legislative branches of the Government.

JAS. M. MEAD,  
DONALD C. DOBBINS,  
PHILIP A. GOODWIN,

Managers on the part of the House.

The SPEAKER. Will the gentleman from Texas again state his point of order?

Mr. BUCHANAN. Mr. President, I make the point of order against the conference report on the ground that it includes an amendment of the Senate not germane to the bill and on the further ground that the Senate amendment carries an appropriation, which is not permissible on a legislative bill just as, under the rules of the House, legislation is not permissible on an appropriation bill.

The SPEAKER. Does the gentleman from New York desire to be heard on the point of order?

Mr. MEAD. Mr. Speaker, this legislation is for the purpose of enabling the Post Office Department to carry on its work in connection with the distribution and redemption of the adjusted-service certificates.

The House passed the bill some time ago. When it was considered by the Senate Committee on Post Offices and Post Roads an amendment was inserted increasing the salaries of the four Assistant Postmasters General from \$9,000 to \$10,000 a year. It is not, in my judgment, an appropriation, but is an authorization; and I am advised by the Post Office Department that it will be carried out without requesting an appropriation from this Congress. It will be paid out of savings in the next fiscal year.

Mr. BUCHANAN. Mr. Speaker, will the gentleman yield?

Mr. MEAD. Gladly.

Mr. BUCHANAN. Mr. Speaker, I do not contend that the raising of the salaries of the four Assistant Postmasters General is an appropriation. The appropriation is contained in the other section of the bill where the Postmaster General is authorized to estimate the administrative expense of performing certain duties and authorizing the Secretary of the Treasury to allot the money to the Postmaster General.

Mr. MEAD. With regard to that section of the bill, Mr. Speaker, I do not believe the gentleman from Texas has any objection. His objection is lodged against the last section of the bill which authorizes the increase in salary to the four Assistant Postmasters General. I maintain this is an authorization rather than an appropriation.

The SPEAKER. Had the House acted on that? Was that matter in conference between the two bodies?

Mr. MEAD. The House and Senate conferees agreed—

The SPEAKER. That is not the question. The question of the Chair is whether that matter was in conference between the two bodies at the time the conferees met.

Mr. MEAD. Yes; it was a subject of the conference, brought to the conference by an amendment of the Senate.

Mr. AYERS. Mr. Speaker, will the gentleman yield?

Mr. MEAD. I yield.

Mr. AYERS. The gentleman proposes to raise the salary of the four Assistant Postmasters General but not the salaries of the postmasters, I understand?

Mr. MEAD. It pertains only to the four Assistant Postmasters General.

Mr. AYERS. Does not the gentleman think he should include the postmasters who do the work?

Mr. MEAD. Some postmasters in the field now receive more pay than the Assistant Postmasters General.

Mr. AYERS. I disagree with the gentleman. I think the gentleman should include the postmasters out in the field.

Mr. MEAD. We ought to put them under civil service.

The SPEAKER. The gentleman from New York [Mr. MEAD], chairman of the Committee on the Post Office and Post Roads, presents a conference report signed by the conferees on the part of the Senate and the House. The gentleman from Texas [Mr. BUCHANAN] makes the point of order that the conference report is out of order because the conferees on the part of the House in conference agreed to an amendment of the Senate providing an appropriation contrary to the rules of the House.

Senate amendment no. 1 contains the following language:

The Secretary of the Treasury is authorized to advance, from time to time, to the Postmaster General, from the appropriation contained in the Supplemental Appropriation Act, fiscal year 1936, approved February 11, 1936, for "administrative expenses, adjusted-compensation payment act, 1936, Treasury Department, 1936 and 1937", such sums as are certified by the Postmaster General to be required for the expenses of the Post Office Department in connection with the handling of the bonds issued hereunder. Such bonds—

This amendment also contains the following language:

The Secretary of the Treasury shall reimburse the Postmaster General, from the aforesaid appropriation contained in said supplemental appropriation act, for such postage and registry fees as may be required in connection with such transmittal.

Rule XX, clause 2, of the rules of the House of Representatives, reads as follows:

No amendment of the Senate to a general appropriation bill which would be in violation of the provisions of clause 2 of rule XXI, if said amendment had originated in the House, nor any amendment of the Senate providing for an appropriation upon any bill other than a general appropriation bill, shall be agreed to by the managers on the part of the House unless specific authority to agree to such amendment shall be first given by the House by a separate vote on every such amendment.

It is clear to the Chair that the managers on the part of the House in agreeing in conference to Senate amendment no. 1 violated the provisions of rule XX, inasmuch as the amendment provides an appropriation.

The Chair therefore sustains the point of order.

The Clerk will report the first amendment in disagreement.

Mr. SNELL. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. SNELL. Mr. Speaker, if the conference report is out of order, how can we consider it?

The SPEAKER. The amendments are before the House and must be disposed of.

Mr. SNELL. I supposed that the whole report went out.



The SPEAKER. The report goes out, but that leaves the amendments before the House, and some action must be taken on them. It is for the House to say what action it will take.

Page 3, after line 5, insert:

"Sec. 2. Section 4 of the Adjusted Compensation Payment Act, 1936, is hereby amended by adding at the end thereof the following paragraphs:

"At the request of the Secretary of the Treasury, the Postmaster General, under such regulations as he may prescribe, shall designate postmasters and other employees of the Post Office Department and of the Postal Service to perform, without extra compensation, such fiscal-agency services as may be desirable and practicable in connection with the redemption and payment of the bonds issued under this section; and the Postmaster General may require each such employee to furnish such bond as he may determine for the faithful performance of such fiscal-agency duties.

"The Secretary of the Treasury is authorized to advance, from time to time, to the Postmaster General, from the appropriation contained in the Supplemental Appropriation Act, fiscal year 1936, approved February 11, 1936, for "Administrative expenses, Adjusted Compensation Payment Act, 1936, Treasury Department, 1936 and 1937", such sums as are certified by the Postmaster General to be required for the expenses of the Post Office Department in connection with the handling of the bonds issued hereunder. Such bonds, when received by postmasters for purposes of redemption and payment, shall be handled by the postmasters under such special regulations as may be promulgated by the Postmaster General. They shall be transmitted between post offices or from any post office to the Treasury Department, or fiscal agent thereof, without advance payment of any required postage. The Secretary of the Treasury shall reimburse the Postmaster General, from the aforesaid appropriation contained in said Supplemental Appropriation Act, for such postage and registry fees as may be required in connection with such transmittal. Whenever it is proved to the Secretary of the Treasury, by clear and satisfactory evidence, that any such bond is lost, stolen, or destroyed while being so transmitted, the Secretary of the Treasury may, in accordance with such rules and regulations as he may prescribe, issue a duplicate thereof without requiring the furnishing of an indemnity bond."

Mr. MAPES (interrupting the reading of the Senate amendment). Mr. Speaker, a point of order.

The SPEAKER. The gentleman will state it.

Mr. MAPES. Mr. Speaker, supplementing what the gentleman from New York [Mr. SNELL] has said, an attempt was made to get this bill before the House by calling up the conference report and the conference report was held out of order. No further action to get the bill before the House has been taken. There has been no request to bring it up in any other way except through the conference report, and the Speaker, very properly I think, has ruled that the conference report is out of order.

The SPEAKER. The conference report was called up by the gentleman from New York [Mr. MEAD]. The conference report has been held to be out of order, which leaves the Senate amendments before the House for consideration. The House must take some action on them.

Mr. MAPES. How do the amendments get before the House for consideration?

The SPEAKER. They are called up by the gentleman from New York [Mr. MEAD].

Mr. MAPES. No attempt has been made by the gentleman from New York [Mr. MEAD], as I understand, to call them up.

The SPEAKER. The Chair, in answer to the gentleman from Michigan, reads from section 3257 of Cannon's Precedents:

When a conference report is ruled out of order the bill and amendments are again before the House as when first presented, and motions relating to amendments and conference are again in order.

The Chair thinks that completely answers the gentleman from Michigan.

Mr. MAPES. That seems to cover the matter.

Mr. LEHLBACH. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. LEHLBACH. Are amendments put on a House bill by the Senate privileged?

The SPEAKER. After the stage of disagreement has been reached they are. For this reason it is necessary that the House take some action upon the amendments at this time.

Mr. LEHLBACH. Is it in order to move that the amendments of the Senate be referred to the appropriate legislative committee?

The SPEAKER. The Chair will pass on that question in due time.

Mr. LEHLBACH. Mr. Speaker, I make such motion at this time.

The SPEAKER. The Chair has recognized the gentleman from New York [Mr. MEAD].

Mr. MEAD. Mr. Speaker, I move that the House recede and concur in the Senate amendment.

Mr. SNELL. Mr. Speaker, is that the first amendment?

The SPEAKER. The first amendment; yes.

Mr. SNELL. Section 2?

The SPEAKER. Section 2.

The motion was agreed to.

The SPEAKER. The Clerk will report the next Senate amendment in disagreement.

The Clerk read as follows:

Page 3, after line 5, amendment no. 2, insert:

"Sec. 3. The salary of each of the four Assistant Postmasters General is hereby fixed at a rate of \$10,000 per annum, effective on the date of the passage of this act."

Mr. MEAD. Mr. Speaker, I move that the House recede and concur in the Senate amendment.

Mr. BUCHANAN. Mr. Speaker, I demand a division of that motion.

Mr. MEAD. Mr. Speaker, I yield 5 minutes to the gentleman from Texas [Mr. BUCHANAN].

Mr. BUCHANAN. Mr. Speaker, during this entire session of Congress, so far as it has been within my power, I have objected to and done everything I could to prevent the increase in salary of any Government employee, and so far as I know, unless it happened when I was in the hospital, no salaries have been increased.

Mr. Speaker, this bill went over to the Senate with no salary increases in it. It has been sent back here with salary increases to four Assistant Postmasters General, allowing them an increase of \$1,000 each per annum. These Assistant Postmasters General are now receiving \$9,000 a year. Their offices cost them nothing. They are handed to them on a silver platter. They are not like the Members who have to pay out several thousand dollars to get elected.

Mr. Speaker, I think this is not the time nor the occasion to start increasing the pay of \$9,000-a-year Government employees.

Mr. TAYLOR of South Carolina. Will the gentleman yield?

Mr. BUCHANAN. I yield to the gentleman from South Carolina.

Mr. TAYLOR of South Carolina. Does not the gentleman from Texas think that this tendency would delay the time when we may return the 2 cents postage back to the people of the country?

Mr. BUCHANAN. Maybe so.

Mr. Speaker, I want to call attention to the report of the Senate committee.

Mr. SHORT. Will the gentleman yield?

Mr. BUCHANAN. I yield to the gentleman from Missouri.

Mr. SHORT. Are these increases due to the fact that the Assistant Postmasters General are compelled to do additional work while the Postmaster General himself is traveling all over the country making New Deal speeches?

Mr. BUCHANAN. I cannot answer the gentleman's question, but I may say to him the Senate committee offered two conclusions in justification of these increases, and these conclusions are as follows:

Your committee being of the opinion that the salaries of these four Assistant Postmasters General, \$9,000 each, should be the same as other Assistant Secretaries of Cabinet officers, recommend the passage of this section making the salaries \$10,000 each.

Now, let us see what are the facts. You know some subcommittees that are anxious to do a particular thing, for some cause that I know not of, often reach conclusions and advance reasons hastily without examining the facts. There is one Assistant Secretary in the Government service who is getting \$10,000, and that is The Assistant Secretary of



War. His place was created by statute and his duties were defined by statute. He is given the important post of purchasing all the munitions of war for that Department, and his salary was fixed at \$10,000. This is the only Assistant Secretary in the Government getting this salary.

Mr. WHITE. Mr. Speaker, will the gentleman yield?

Mr. BUCHANAN. I yield.

Mr. WHITE. Is not the gentleman overlooking the Under Secretaries?

Mr. BUCHANAN. I said Assistant Secretaries and did not say Under Secretaries or Over Secretaries, or Secretaries either. [Laughter and applause.]

Now, I will read this list of Under Secretaries and Assistant Secretaries:

Under Secretary of Agriculture, Mr. Tugwell, \$10,000; and one Assistant Secretary of Agriculture at \$9,000.

Department of Commerce, two Assistant Secretaries at \$9,000 each.

Interior Department, Under Secretary, \$10,000; and two Assistant Secretaries at \$8,500 each.

Department of Justice, six Assistant Attorneys General at \$9,000 each.

Labor Department, two Assistant Secretaries, one at \$9,000 and one at \$8,000.

Navy Department, one Assistant Secretary at \$9,000.

Post Office Department, four Assistant Postmasters General at \$9,000 each.

State Department, one Under Secretary at \$10,000, one Assistant Secretary at \$9,000, and three Assistant Secretaries at \$8,000 each.

Treasury Department, one Under Secretary at \$10,000 and three Assistant Secretaries at \$9,000 each.

War Department, one Assistant Secretary at \$10,000.

Adopt this amendment and every Assistant Secretary throughout the Government service will come in and say, "You have given the Assistant Postmasters General \$10,000 each, whether they are principal assistants or not, and you should give us \$10,000."

I have never yet heard anyone on the floor of this House say that salaries are too much and that they ought to be decreased. The statement is always made that they are too small and ought to be increased.

[Here the gavel fell.]

Mr. MEAD. Mr. Speaker, I yield 5 minutes to the gentleman from New York [Mr. SNELL].

Mr. SNELL. Mr. Speaker, it seems to me there is a real and important responsibility devolving upon the House here today in the matter presented by the chairman of the Committee on the Post Office and Post Roads. It is really a serious question when you talk about raising salaries at the present time, in view of the present condition of the Federal Treasury. The issue is not just the amount of the salary of these four men, but a question of policy. Is there any reason at the present for raising salaries of all Assistant Secretaries?

The Federal Treasury during the time that the present administration has been in power has actually spent a little more than \$2 for every dollar that has been received, to say nothing about the contingent liabilities. This is actual money that has gone out, according to the reports of the Treasury Department.

Your party came into power with a definite promise to the people of the United States, and every one of you said that you accepted your platform 100 percent and went before your constituents with this promise. You have done nothing for the last 3 years but increase salaries and create new positions.

There is no reason that any man on God's footstool can advance for raising these salaries from \$9,000 to \$10,000. According to the statement which the chairman of the Appropriations Committee has just read, there are 19 other Assistant Secretaries who are entitled to have their pay raised to \$10,000 if you are going to raise the four assistants in the Post Office Department. I doubt that any of these assistants are going to resign, and I doubt that there would be any trouble in filling the positions at this salary. If you have any trouble, I will agree to furnish some able men to do the work at that figure. [Laughter.]

I appreciate the fact it is up to the majority here what the House is going to do. You have the votes, and if you have made up your minds that you have no responsibility in the spending of the taxpayers' money, you can do it, but I call the

attention of the House and the country to what you are doing today. There is not a single reason in the world why this should be done, and every one of you knows it. The argument that there will be delay in the payment of the soldiers' bonus is so silly that the man who presents such an argument ought to apologize to the House. The only other argument—that the Senate has done this and discharged its conferees—is equally weak. When did we surrender to the Senate all our rights to act according to our own judgment in the matter of spending the taxpayers' money? The committee has put up a pretty poor reason in support of its position, and I trust it will be voted down. [Applause.]

Mr. RICH. Mr. Speaker, will the gentleman yield? I would like to ask the gentleman where he is going to get the money. [Laughter.]

Mr. MEAD. Mr. Speaker, this is a fight against paying \$4,000 in the carrying out of a measure that requires an expenditure of over \$3,000,000,000.

I expected some opposition to this amendment, and I anticipated that perhaps the question of politics might enter into the discussion.

I want to say to you, however, that I have not heard a word either for or against this bill from the Postmaster General, nor have I been importuned by any Assistant Postmaster General in favor of this legislation.

Let me tell you something about the history of this amendment. It was not considered by our committee when the bill was before us, but was inserted by the Senate committee, by unanimous consent of Republicans and Democrats, after the measure passed the House.

It was taken before the Senate, adopted by Republicans and Democrats without a dissenting vote, and was then sent to conference on the part of the House and the Senate, all in accordance with proper order and procedure. The Senate conferees insisted on its retention, and the House conferees agreed to report it back to the House, where we now have it under consideration.

We are anxious to pass this measure because it is imperative to prepare for payment of the bonus. The conference report has been adopted in the Senate and the Senate conferees have been discharged. There is only one more necessary step, and that is the one now before us. We have but a short time before the bonus payments will be made, and it is necessary that we act expeditiously on this matter.

A question was raised in regard to the payment of salaries for comparable positions in other bureaus or departments. I have here an Official Register of the United States for 1934—and remember that prior to 1934 most of these increases were adopted by the party that preceded the present administration. According to that record there are in comparable positions in various departments and commissions of the Government over 140 men whose salaries range from \$10,000 to \$12,500 a year.

A break-down to more easy terms will show that there is one of these positions in the State Department, seven in the Treasury Department, one in the War Department, two in the Justice Department, one in the Interior Department, and three in the Department of Agriculture.

In addition to that there are assistants, as follows: 4 in the Interstate Commerce Commission, 3 in the Shipping Board, 16 on the Board of Tax Appeals, 32 in the Reconstruction Finance Corporation, 3 in the Federal Alcohol Administration, 5 in the Securities and Exchange Commission, and so on all the way down the line, according to the list of which I have in my hand. When this salary amendment came before us we discussed it with the representatives of the Bureau of the Budget.

We had no opposition from that source. In fact, I believe I can say to you that we had the approval of that Bureau.

Mr. BUCHANAN. Mr. Speaker, will the gentleman yield?

Mr. MEAD. Yes.

Mr. BUCHANAN. I have had no approval from him, and I discussed it with him one way or the other.

Mr. MEAD. Perhaps the gentleman from Texas would have had that approval if the matter had been before his committee, but, fortunately or unfortunately, it is a matter



our committee had to consider as it was inserted in our bill by the Senate. I claim it is not an unusual request, because the House has gone on record in 140 other cases, granting increases that range all the way up from \$10,000 to \$12,500 a year.

Let us for a moment inquire into the activities of the various bureaus of the Post Office Department, and then in your mind compare them with the activities of the governmental assistants in other departments. Within the last 10 or 12 years we have loaded the Post Office Department with many difficult tasks and assignments. The Post Office Department has control of ocean-mail contracts and subsidies. We have also given them jurisdiction of domestic and foreign air mail, with all of the ensuing contracts and subsidies needed to keep up that service. We have called upon the Post Office Department to classify, handle, and distribute mail for a large number of Government agencies, a task which was not theirs a few years ago. We have called upon them to distribute, sell, and account for the migratory bird hunters' stamps, amounting to some \$600,000 annually and entailing a great deal of detail work. We have authorized the Post Office Department to become the bond-selling agency of the Treasury, and we are now selling approximately \$300,000,000 of bonds through the post offices of the United States. And after June 15 the Post Office will be called upon to pay the bonus to some three and a half million veterans. Since October of 1933 the custodial care of 1,800 Government buildings located all over the United States has been taken over from the Treasury Department by the Post Office Department. That work alone costs \$20,000,000 and employs thousands of additional workers.

Mr. LUDLOW. Mr. Speaker, will the gentleman yield?

Mr. MEAD. Yes.

Mr. LUDLOW. For the purpose of clarification, just what is the justification for this increase of salary of the Assistant Postmasters General? Is it due to the general increase of the postal business, or is it due exclusively to the increased work imposed upon them by the bonus?

Mr. MEAD. It is my opinion that it was inserted in the bill by the Senate because of the fact that we have assigned to the Post Office Department many additional tasks, and also because the executives of these four bureaus are doing more work with heavier responsibility than is the case in comparable positions in other departments paying higher salaries. It was the merit and the justice of the case that brought about the unanimous adoption of this amendment by both the Republicans and the Democrats in the Senate.

Mr. LUDLOW. Our subcommittee that brings in the regular appropriation bill sat for weeks and weeks and nothing was ever said to our subcommittee in regard to this matter, and, if I am correctly informed, it was never brought before the Committee on the Post Office and Post Roads. Why was it not brought up and treated in the regular way, so that it could be threshed out in the appropriate committee rather than being brought in in this way? I do not agree with our Republican friends who find such welcome diversion in criticism of the Post Office Department from Postmaster General Farley down the line. I think I come into rather close contact with that Department, due to the fact that I am chairman of the Subcommittee on Appropriations for the Post Office and Treasury Departments, and I want to say that the Post Office Department is a well-managed department. It is not a department that runs off after strange fallacies and will-o'-the-wisps. It is conducted on a basis of sound economy and practical efficiency. I wish I might say the same of all of the other Government activities. There is hardly a day when Postmaster General Farley is not assailed by partisan critics, but in this matter, as all others, the proof of the pudding is in the eating. Whatever may be said of Mr. Farley as a politician and a globetrotter, the best evidence that he is a good official is the fine administration he is giving of the Post Office Department.

I know all four of the Assistant Postmasters General whose salaries would be increased \$1,000 each by this act. I have sat across the table from them day after day in committee hearings and have thus acquired first-hand knowledge not

only of their zeal in the public service but of their personal characteristics. I wish to say that all four of them are fine men and excellent officials, and that they are discharging their public duties in a manner that entitles them to the good opinion of the people of this country.

I am in favor of liberal salaries for these officials, because they are entitled to good salaries on a basis of service performed. But as a member of the Appropriations Committee, believing in orderly procedure, I cannot approve the method adopted to bring about these increases at this time. There has been too much jumping over proper bounds in trying to get appropriations by short-cut methods, and the able chairman of our Appropriations Committee, Mr. BUCHANAN, has very properly taken a firm stand in opposition to such methods. Mr. BUCHANAN stood on this floor the other day and delivered an appeal for the integrity of our budgetary and appropriating system that ought to have appealed tremendously to every Member of this House, and then, with admirable courage, he led a fight that saved the people of this country the enormous sum of \$800,000,000, the amount involved in authorizations for irrigation projects which were tacked on to the Interior Department appropriation bill in the other branch of Congress, contrary to every rule of parliamentary procedure, for legislation on an appropriation bill is expressly forbidden. Today Mr. BUCHANAN is again proving his worth to this Nation when he leads this fight to prevent the other body from increasing statutory salaries by amendments brought in at the last hour without debate and virtually without consideration.

There is a right way and a wrong way to do things, and apparently the proponents of these increases chose the wrong way. Our subcommittee which framed the 1937 Post Office and Treasury appropriation bill spent week after week in exhaustive hearings. In those hearings we are not bound by any rules of evidence. The sky is the limit. The testimony brings out everything that is relevant to the Postal Service and many things that are not relevant. But in all of that great volume of testimony, on the record and off the record, not one word was said and not even an intimation was given that the four Assistant Postmasters General were not receiving adequate compensation for their services.

The regular way to bring this matter before Congress would be to submit it to the House Committee on the Post Office and Post Roads, which is the legislative committee having charge of legislation for the Postal Establishment, but as far as I can learn there were no hearings in that quarter and it was never proposed to that committee. Instead we suddenly find these increases attached by a rider in the Senate to a bill where you would least expect them, and where they have no business to be.

I think the Members of the House should stand by the chairman of our Appropriations Committee, Mr. BUCHANAN, who is making such a valiant fight to maintain the integrity of our appropriating and legislative system. If the friends of these capable postal officials will come before our House committees in the regular way and present facts showing that they are entitled to salary increases, I, for one, will be responsive to the merit of their claim, but I do not approve this strange and extraordinary way of trying to attach these increases as a rider to a bill that has no relevancy to salaries in the Postal Service. I dislike to disagree with such good friends as the officials referred to and those Members of Congress who are on the other side of this proposition, but I have a duty to perform, and I am trying to perform it.

Mr. MEAD. I presume, in that connection, but I may be in error, that it is the prerogative of the Senate and of individual Members, just as it is the prerogative of the gentleman's committee or of any other committee of the House, to bring to the attention of the Congress not only this matter but every matter that recommends itself to the individual member or to the committees.

Mr. LUDLOW. Does not the gentleman understand that, if this carries through here, every assistant secretary of every department will come here for an increased appropriation?

Mr. MEAD. That question should have been raised years ago when they increased the salaries of 140 others whose



work, in many instances, in my judgment, is not comparable to the work and responsibility of these four bureau heads.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. MEAD. Yes.

Mr. McCORMACK. Are their salaries of \$9,000 fixed by law at the present time?

Mr. MEAD. I think so; yes.

Mr. McCORMACK. If that is so, why should they go to the Committee on Appropriations? They must have an authorization before the matter could be submitted to the Committee on Appropriations.

Mr. MEAD. As I said before, in my judgment, these matters, along with other similar matters, become the responsibility of every Member of the House and the Senate, and I really believe that we are within our authority in considering and approving this amendment.

Mr. TABER. Mr. Speaker, will the gentleman yield?

Mr. MEAD. Yes.

Mr. TABER. The work on the bonus will not last over 2 or 3 months, and these people are being paid what they have been paid for years. There is no real, legitimate reason for any increase.

Mr. MEAD. It is no doubt true that a large part of the bonus payments will be completed in a few months, but it will take many months to complete the task and attend to the numerous details.

I want to finish the account of the added responsibility that I was enumerating to you when I was interrupted. In many instances these are permanent duties. While the bonus task is a temporary and passing one, although a major one, the other matters I am bringing to your attention are permanent tasks assigned to these bureau heads. A number of years ago we organized the Interdepartmental Building Committee, and today the Fourth Assistant Postmaster General is the representative of his Department on that committee. That committee has charge of the spending of a large appropriation in the selection of sites and the construction of Federal buildings in the carrying out of vast public-building programs all over America.

In addition, the Post Office Department conducts the largest bank in the world, the Postal Savings Bank, which comes under the Third Assistant Postmaster General.

Mr. TABER. Mr. Speaker, will the gentleman yield for a question?

Mr. MEAD. I should like to finish my statement, if I may.

Our postal executives conduct the largest business in the world, the postal business, with over a quarter of a million employees. It is the most efficient business in the world, and the performance of the present administration, the record of those four men involved in this small, minor authorization, has earned the approval of this House. When they took over the conduct of the Post Office Department they found a net deficit amounting to approximately \$150,000,000 a year, but I am pleased to advise that in a year they took the Post Office Department out of the red and put it in the black. In 1934 the surplus amounted to \$12,000,000 a year. In 1935 it amounted to \$5,000,000 a year. In 1936 the service will approximately carry itself.

Mr. SNELL. Mr. Speaker, will the gentleman yield?

Mr. MEAD. I must refuse until finishing my statement, and then I shall be glad to yield.

Now, summing up, where in the Federal service is there an administrator, an undersecretary, an assistant secretary, or anyone else, whose duties can compare with the tremendous responsibility lodged in the authority of these four men? They have specific duties. They have duties that are tremendous.

The Congress of the United States on frequent occasions in the passage of measures affecting the Post Office Department, has placed on them the burden of administration in the Postal Service. They have the ocean and air subsidies. They conduct the largest express business in the country. They are the biggest bankers in the country. They are the biggest bond-selling agency in the country. They operate

the biggest business on earth, and they have made that business, formerly a drain upon the Treasury, one that is paying its own way. I say to you, if we are paying 143 men in other departments more money than we are paying these four men whose records stand out so well, we ought to adopt this conference report in its entirety and quit quibbling over \$4,000, when we are assigning them a task that amounts to \$3,000,000,000.

The Senate has disposed of this measure. It has discharged its conferees. The envelopes are being prepared for the disposition of this huge bonus-paying task. We want to take care of it promptly and expeditiously, and I ask you not to hold up the payment of the bonus to the veterans by quibbling over a minor matter contained in the bill that is before us by the approval of both parties in the other Chamber.

Now, Mr. Speaker, I must yield some time to my colleague [Mr. DOBBINS], and therefore I think it would be an imposition to yield to other Members at this time.

I now yield 5 minutes to the gentleman from Illinois.

Mr. DOBBINS. Mr. Speaker, I think, from inquiries that have come to me, there is some misapprehension as to the nature of this amendment. This is not an award to the Assistant Postmasters General of \$1,000 a year for their work in helping pay the bonus. This bill, which was carefully studied during the adjournment of Congress, in conference between the Treasury and Post Office officials, was introduced at the very first of this session of Congress. The purpose of the bill is to provide for the use, in this three and one-half billion dollars of bonus payments, of that same form of envelope that has been in use for 50 years in the payment of pensions to Civil War veterans, and later to other veterans. It provides safety in the delivery of these payments, and places a penalty upon any postal employee who delivers them to the wrong person. It is necessary in the administration of this law. The Senate attached to that as a rider this provision increasing, quite justly, in my own individual opinion, the salaries of these four Assistant Postmasters General from \$9,000 to \$10,000. The conferees met with this statement when they went to the Senate: "This matter passed the Senate unanimously. There was not a dissenting vote on either side of the Chamber. We Senate conferees, representing both sides of the Chamber, united upon it and insist that it remain in the bill." Something more important than that was paramount in the minds of those representing the House. What was uppermost in our minds was this: The bonus payments are supposed to start on the 15th day of June. Any delay in paying them is going to reflect on our Government, and I say to you Members on this side of the aisle, it is going to reflect on our Democratic administration of this Government if the timely distribution of that three and one-half billion dollars is delayed. It is going to be delayed if we insist on the House amendment. It may take a long while to dispose of this matter if we send this bill back to the Senate again.

Mr. SNELL. Does the gentleman mean to tell the House and the country that payment of the bonus will be delayed for one single minute if we do not increase the salaries of these four Assistant Postmasters General?

Mr. DOBBINS. Because of the parliamentary situation—

Mr. SNELL. Answer my question, please.

Mr. DOBBINS. It is not because of that, but because of the parliamentary situation that will ensue if we refuse to concur in the Senate amendment.

Mr. SNELL. I cannot follow the gentleman in his reasoning.

Mr. DOBBINS. Concurrence of the Senate is needed in this bill to provide needed machinery for the payment of the bonus and the Senate may not concur in its adoption unless we adopt this amendment. Mr. Speaker, I cannot yield further.

Mr. SNELL. Could not the Senate recede and adopt the House bill?

Mr. DOBBINS. Yes; but they have dismissed their conferees and would have to go through the procedure all over again. It might take a week or 10 days.



Mr. SNELL. They could appoint new conferees in a minute.

Mr. DOBBINS. When the question of the payment of the adjusted-service certificates was under consideration in Congress the President was not in favor of it, but immediately after the act was passed and became a law he started the machinery in motion for the prompt payment of the bonus. From that day to this the Treasury Department and the Veterans' Administration have been exerting every effort to get this payment out promptly on the 15th day of June, but I seriously apprehend that they cannot get it out promptly unless we adopt the motion of the gentleman from New York.

[Here the gavel fell.]

Mr. TABER. Mr. Speaker, will the gentleman from New York yield me 3 minutes?

Mr. MEAD. Mr. Speaker, I yield 3 minutes to the gentleman from New York [Mr. TABER].

Mr. TABER. Mr. Speaker, there is absolutely nothing to the story that the payment of the bonus will be delayed if we do not adopt this amendment. The bill can go back to the Senate and on Monday the Senate can recede on section 3, pass the bill, and send it to the White House. There is absolutely no question about that; it does not have to go to conference again.

Mr. DOBBINS. Mr. Speaker, will the gentleman yield?

Mr. TABER. I yield.

Mr. DOBBINS. The Senate, of course, could do that, but they will not accept the bill as it passed the House. They will insist on their amendment.

Mr. TABER. They will not insist.

Mr. DOBBINS. We are delaying the payment of the bonus.

Mr. TABER. We are not delaying it a minute.

Turning now to the 140 officers who draw more than \$9,000 a year, their salaries were fixed by legislative action of the House after careful and scientific investigation. These positions relate to such administrative bureaus as the Interstate Commerce Commission, the Reconstruction Finance Corporation, and similar branches of government.

I am not going to discuss anything of a political character here because I think it would be unseemly. I will not discuss the question of the administration of the Post Office Department. I could suggest that perhaps the Postmaster General might spend more time there, but I am not going to do that. [Laughter.]

It is absolutely ridiculous for us under these circumstances to increase to \$10,000 the salaries of men who have never occupied administrative positions of the character calling for even as much, let alone more, money than they are now receiving as salaries, especially with conditions in the country as they are. I hope the House of Representatives will stand for at least a semblance of economy and vote down these increases.

Mr. MEAD. Mr. Speaker, I have no desire to use any additional time. I merely want to point out that it is not a very serious offense to consider a question like this, because the Republican Party increased the salaries of the Assistant Postmasters General when they were in power.

Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the motion that the House recede from its disagreement to the amendment of the Senate no. 2.

The question was taken; and on a division (demanded by Mr. SNELL) there were—ayes 22, noes 106.

So the motion to recede was rejected.

Mr. BUCHANAN. Mr. Speaker, I move that the House insist upon its disagreement to the amendment of the Senate no. 2.

The motion was agreed to.

A motion to reconsider was laid on the table.

#### AIR CORPS TECHNICAL SCHOOL

Mr. LEWIS of Colorado. Mr. Speaker, I call up House Resolution 515, a privileged resolution.

The Clerk read as follows:

*Resolved*, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of S. 3398, an act "to establish the Air Corps Technical School and to acquire certain land in the State of Colorado for use as a site for said Air Corps Technical School and as an aerial gunnery and bombing range for the Army Air Corps." And all points of order against said bill are hereby waived. That after general debate, which shall be confined to the bill and continue not to exceed 1 hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Military Affairs, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the reading of the bill for amendment, the Committee shall rise and report the same to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit, with or without instructions.

Mr. LEWIS of Colorado. Mr. Speaker, I yield 30 minutes to the gentleman from Massachusetts [Mr. MARTIN], and at this time I yield myself 10 minutes.

Mr. Speaker, this is an ordinary, open rule for the consideration of S. 3398, which is a bill to establish the Air Corps Technical School in the State of Colorado. The bill provides:

That the Secretary of War be, and he is hereby, authorized to establish in or near Denver, Colo., the Air Corps Technical School and to accept on behalf of the United States, free from encumbrance or conditions and without cost to the United States, for use as a site for the Air Corps Technical School, the title in fee simple to 640 acres of land, more or less, within the city limits of the city of Denver, Colo., including the property known as the "Agnes (Phipps) Memorial Sanitarium", together with existing buildings and equipment located thereon; and also a tract of land within the State of Colorado, suitable for use as an aerial gunnery and bombing range by the Army Air Corps: *Provided*, That in the event a donor is unable to perfect title to any land tendered as a donation, condemnation of such land is authorized in the name of the United States, and payment of any and all awards for title to such land as is condemned, together with the cost of suit, shall be made by the donor.

In short, the bill does two things. It establishes the Army Air Corps Technical School in Denver, Colo., and it authorizes the United States Government to accept as a donation, free of expense, a site of 1 square mile on the edge of the city of Denver, including some valuable buildings and also a bombing and machine-gun range of 100 square miles, 10 miles by 10 miles, on the plains east of the city.

The bill seeks to consummate a report and recommendation of a board of Air Corps officers, which board was appointed by the Chief of the Air Corps by direction of the Secretary of War, to investigate the entire United States in order to find the most suitable place for the permanent location of this school. The function of the Air Corps Technical School is the training of officers and enlisted men in the care, operation, maintenance, and repair of Air Corps equipment, including armament—and particularly machine guns and bomb racks—and also instruction in radio and in aerial photography.

The school is now located at Chanute Field, adjacent to the small town of Rantoul, Ill., and has been so located since 1921. The War Department advises me that the reasons for using Chanute Field were that in 1921 there existed at Chanute Field buildings which could be utilized for this purpose, and that the War Department was without funds to build the school at any other location. Some of the work of this school had previously been performed at St. Paul, Minn., in temporary facilities, which had to be abandoned. A part of the personnel of the school was located at San Antonio, Tex., in a location which also was most desirable to abandon in order that the repair depot at Dallas, Tex., could be consolidated with the supply depot at San Antonio. Therefore, as the most suitable buildings available existed at Chanute Field at that time, and, as the War Department was without funds for any other buildings at any other location, the school was temporarily established at Chanute Field. These buildings were wartime buildings and by this time have become so dilapidated and so outworn that, in any event, whether the school is retained at Chanute Field or



whether it is moved to another location, a new set of buildings must be constructed.

The present location has never been satisfactory for this particular instrumentality. This, of course, is no reflection on that splendid locality in the State of Illinois where the school is now situated.

The present location is in one of the richest, most fertile, and most productive agricultural regions in the United States, if not in the world. However, the high precipitation and the high humidity, which make for productiveness in agriculture, militate against the availability and suitability of this particular location for the particular purposes of the school and its curriculum to which I have referred. The high humidity as well as the haze interferes with photographic work and weather conditions interfere with everyday flying, which should be done in order properly to carry out the curriculum of this school. Furthermore, it is not possible, except at prohibitive expense, to secure an adequate bombing and machine-gun range, which is absolutely essential for the carrying on of the work of this school. The War Department says that is a most essential thing. As illustrating the value of the land where this school is now located, during the war when the Government secured a square mile of land for the purposes of a primary flying school, the price paid by the United States Government was \$325 per acre. It would be impracticable at the present time to secure an adequate bombing and machine-gun range at the present location of the school, to wit, a range of 10 miles by 10 miles, or 100 square miles, except at prohibitive expense.

Accordingly, a board of officers was appointed in February 1934 by direction of the Secretary of War for the purpose of making an investigation throughout the country with reference to the most suitable location.

[Here the gavel fell.]

Mr. LEWIS of Colorado. Mr. Speaker, I yield myself 5 additional minutes.

Mr. Speaker, the members of this board of officers were selected because of their high standing in the Air Corps and because of their knowledge of the requirements of the service. They visited 57 cities throughout the United States and collected a large amount of data concerning 18 or 20 localities in addition to those they visited personally. After having studied the matter from February 1934 to August of the same year they presented a confidential report to the Chief of the Air Corps. The Chief of the Air Corps and his assistants in turn studied the report for some 2 months. The report, strongly approved and recommended by the Chief of the Air Corps, was then sent to the General Staff. From October 1934 until March of 1935 it was studied by the various branches of the General Staff and by the Secretary of War. On or about the middle of March of 1935 this report was sent by the Secretary of War to the Military Affairs Committee of the House and of the Senate and made public; at least, its contents were divulged to the Members of the Congress. Needless to say, I was pleased to find that the city of Denver, Colo., had been chosen as the most available and suitable location for this particular instrumentality of the War Department.

I may say that at the outset, and before the board went out on personal inspections, it sent to various communities in the United States a questionnaire indicating what were the general requirements for an ideal site. This questionnaire was received by our people at home, and I was consulted about it. I said to our people at home, "It would seem to me that with our 350 to 360 flying days in the year in Denver, with our excellent all-the-year-round climate, and with the availability on the plains of an area adequate for a bombing and machine-gun range of 100 square miles—10 miles by 10 miles—we should have a very good chance", but I also said, "This is a matter involving the national defense. If we are chosen, fine; if we are not chosen, I hope there will be no complaints from you, because you will not get one bit of support from me if this board of experts decides against us."

Pursuant to the request of the Board for a statement as to the terms upon which the site could be secured, our people said that if perchance the city of Denver should be chosen, Denver would give a square mile on the edge of the city and would install adequate railroad facilities and would give also, without a cent of expense to the United States, 100 square miles on the plains east of the city for a bombing and machine-gun range. At a municipal election held May 21, 1935, the tax-paying electors of Denver voted \$750,000 of bonds to purchase the site and bombing range and to install railroad facilities.

I may add that this offer is no better than those made by some other cities. Two or three of my distinguished friends from Texas know full well that their cities made equally good offers, but the Board decided that Denver was the most suitable place for the permanent location of the school.

One thing more, and I am through. This bill was passed by a very large majority in the Senate of the United States. This was after prolonged hearings in the Senate Military Affairs Committee. Prolonged hearings were also held in the House Military Affairs Committee, and I may say that some of our good friends from Illinois made the objection that this report was incorrect, that it was biased, and that it was absolutely inaccurate, but after hearing all these objections and complaints throughout three prolonged hearings before a subcommittee of the Senate Committee on Military Affairs, the subcommittee unanimously reported to the whole committee that nothing had been found to impugn the accuracy or integrity of the report of the board and the whole Senate committee ratified the action of the subcommittee. Prolonged hearings on the same alleged grounds were had in the House Military Affairs Committee and the House Military Affairs Committee made a favorable report.

The bill and the report are now before you and I trust the House will carry out the recommendation as made. I may add further that during the hearings before the House Military Affairs Committee the chairman of the committee requested an unequivocal statement from the Secretary of War as to his position, and there is printed at pages 8 and 9 of the committee's report a strong, unequivocal statement by the Secretary of War that the War Department favors the enactment of this legislation as it stands.

Mr. Speaker, under the leave to extend my remarks in the RECORD, I include the following statement by Colonel Chaffee, of the General Staff of the Army, made before the Military Affairs Committee of the House of Representatives on January 31, 1936. This statement, which was expressly authorized by the Secretary of War, sets forth the reasons why the War Department favors the enactment of the bill to establish the Army Air Corps Technical School in Denver, Colo. (H. R. 9087, S. 3398):

The War Department has been called upon by your committee for a report upon the advisability of enacting this legislation, H. R. 9087 (S. 3398). The report of the War Department is now in the hands of the Bureau of the Budget in order that we may ascertain whether or not the legislation is in accord with the program of the President.

On the telephone this morning, I endeavored to expedite action by the Bureau of the Budget on the written report, but was informed that it would be some time before the matter could be processed. However, the War Department was authorized to state its own position, with the understanding made clear to the committee that its statement in no wise prejudiced the program of the President.

The Secretary of War, therefore, authorizes me to state under the above conditions that it favors the enactment of this legislation as it stands. The impelling reasons behind the position of the War Department in this matter are as follows:

First, in order to have proper facilities at the school itself it must be entirely rebuilt. Our report shows that it will cost \$400,000 less to build these permanent facilities at Denver than it will at Chanute Field.

Second, the site at Denver gives us without charge an extensive bombing range 10 miles square within quick flying distance from the school airfield. Such a range is absolutely necessary for the proper carrying out of the curriculum of the school. It is of an extent enabling operations from the air with machine guns and live



bombs to be carried on with safety to the population, and it obviates a long flight over a populated area by planes carrying loaded bombs.

Third, from the report of its board, the War Department believes that flying conditions are better for the purposes of this school at Denver than they are at Chanute Field.

Fourth, the War Department places little or no emphasis upon the surrounding amusement facilities at either place for officers. The officer is sufficiently well paid to allow him to organize this for himself or to enter the facilities of the average civilian in either locality. The War Department does give a certain degree of importance to the surrounding facilities for amusement of enlisted men in their off-duty hours, because these men have not the money to go into other than strictly public amusements of low cost. This whole matter, however, is of lesser importance than the other reasons I have given.

The report of the board of Air Corps officers concerning Denver is as follows:

#### DENVER, COLO.

##### FOREWORD

The board visited Denver on May 26-28, 1934, and inspected four sites in that vicinity. Three of these sites were rolling and would require a considerable expenditure of funds for grading and drainage. The site considered best is that marked "A" in the attached brief and is generally known as the Agnes (Phipps) Memorial Sanitarium site.

##### I. SITE

1. Size and shape: The site is 1 mile square and is situated just within the eastern city limits of Denver.

The distance to the center of the city from the northwest corner is  $6\frac{1}{2}$  miles by paved road.

2. Character of soil, drainage, and suitability for foundations: The soil in this area is a mixture of sand and loam which drains readily and is suitable for building foundations without the necessity of any piling or concrete mats.

Samples of the soil which the committee states were tested for physical characteristics show that it is capable of producing a solid turf as well as for landscaping.

The average rainfall is only 14.7 inches. This would make it necessary to irrigate the building and housing area in order to grow trees, flowers, shrubs, etc.; however, this can be done.

The site is gently rolling with slight slope to north and west providing for natural drainage.

Mr. Everett S. Huntington, engineer, of the United States Bureau of Reclamation, estimates that the site could be leveled for \$25,000. This grading would provide for a 1° slope for two-thirds of the distance from the north edge of the field and one-half-percent grade for the balance.

3. Natural surroundings, terrain, obstacles to flight, possibilities of expansion: The surrounding country is comparatively level and open and provides many emergency landing fields. There are no obstacles to flight in the immediate vicinity of the site.

It was stated that there would be practically no building development in this direction at least for many years. The trend of building construction in Denver is to the northeast and southwest.

4. Bombing and machine-gun range: No specific site was visited by the board, but it was stated that an extensive area could be acquired for a nominal sum within a few miles from the site. This area would be in the mountainous country to the west of the city.

5. Terms of acquisition: Occupying 40 acres of the northwest corner of the tract are several buildings known as the Agnes (Phipps) Memorial Sanitarium. These buildings were constructed around 1906 and have been unoccupied for the past 2 years. (For complete description of these buildings, see Denver brief.)

The buildings are in excellent condition, are of pleasing architectural design, and it is estimated that for an expenditure of \$100,000 could be made suitable for Air Corps use. It is thought that these buildings could easily be remodeled in the interior to house post headquarters, school headquarters, hospital, and barracks for at least 100 students. In addition, there is a heating plant which could be expanded, and the superintendent's house which would make an excellent junior officers' set of quarters. It is roughly estimated that at least \$200,000 could be saved by utilizing these buildings.

On August 7, 1934, Congressman LAWRENCE LEWIS, of Colorado, received the following telegram from the president, Denver Chamber of Commerce:

"Please advise Colonel Yount, chamber of commerce, joined enthusiastically by mayor and Denver City Council, and supported by newspapers, proposes to arrange for outright donation to Government of entire site with present buildings and equipment. Request this be embodied in Denver prospectus and that consideration of Denver be based accordingly. Buildings and equipment, exclusive of land, cost originally \$560,000, now conservatively \$325,000."

##### II. CLIMATE

1. Fog and haze: During 1933 there were only 2 days of dense fog.

During the past 42 years the average number of days of dense fog has been 4.

There is an almost total absence of dew in this area and practically no haze.

2. Rain and snow: The average precipitation for the past 60 years is 14.10 inches. Denver may therefore be classified as a dry region.

A very prolific water supply at reasonable rates makes irrigation comparatively inexpensive.

Denver has an average of about 35 inches (unmelted) of snow per year.

It is stated that snow on the ground very rarely interferes with flying.

3. Wind: The average wind velocity for the past 60 years has been 7.4 miles per hour, the prevailing direction being south. Denver is not generally subject to high winds. The highest wind velocity recorded in 1933 was 33 miles per hour.

4. Temperature: Over a 60-year period the average daily maximum temperature was 62.8°, the average daily minimum 37.5°, and the average 50.2°.

During 1933 the highest recorded temperature was 97° and the lowest 16°. During the same period there were 112 days having a minimum temperature of 32° or below and 5 days with a minimum temperature of 0° or below. There were 23 days with a maximum temperature of 90° or above.

The above figures would indicate that in the vicinity of Denver the climate is severe. Due, however, to the altitude (1 mile), Denver has the reputation of having a delightful climate. Neither the heat nor the cold are oppressive due to the low percentage of humidity and the high altitude.

5. Humidity: Over a period of 46 years the relative humidity has been 63 at 6 a. m. and 42 at 6 p. m. Over a period of 16 years the relative humidity at noon has been 39. The Denver climate should therefore be classed as dry. The humidity rate, taken together with the average temperature, accounts for the fine climate both in summer and winter.

##### III. MORALE FACTORS

1. Relative cost of living: (a) Foodstuffs: The cost of staple foodstuffs appears to be about average. Fresh fruits and vegetables are available in season at reasonable prices. Colorado is noted for its excellent mountain lettuce, Rocky Ford melons, peaches, celery, potatoes, strawberries, and other similar foods.

(b) Other supplies: Denver has excellent shops of every description. The prices appear to be average.

(c) Domestic servants: Domestic servants may be obtained at from \$3 to \$10 per week, depending upon the nature of the service desired. White servants are generally preferred, although Negroes and orientals are available.

(d) Rentals: Rentals for houses, apartments, and hotel rooms appear to be very reasonable and compare favorably with other cities of the same size.

2. Recreation: The recreational facilities of Denver are superior.

There are 33 moving-picture theaters, located in all sections of the city, and numerous parks where dancing, swimming, and other amusements are available.

There are several bathing beaches and four municipal golf courses in addition to several country clubs. There are numerous public tennis courts.

Due to its proximity to the mountains, Denver has exceptional advantages for hunting and fishing.

The highest mountains are snowcapped the year around, and winter sports are available just a few miles from the city during the colder months.

Summer cottages are reasonable and may be found in the mountains 15 or 20 miles from the city.

Denver maintains several municipal parks in the mountains, which are noted for their scenic beauty.

3. General: (a) Transportation: Adequate paved public highways are available to the site.

Street-railway facilities are available one-fourth mile from the site, and it was stated that they would probably be extended if the school were located in Denver.

The same applies to bus lines.

(b) Brief description of city: Denver has an estimated 1933 population of 300,000, divided as follows: Native white, 84 percent; foreign-born white, 11 percent; Negro,  $2\frac{1}{2}$  percent; other,  $2\frac{1}{2}$  percent.

The city is known throughout the country as a health center due to its close proximity to the mountains and its altitude of 1 mile.

It is a city of beautiful homes, fine trees and gardens, and excellent paved streets. (For complete description of city, see attached brief.)

(c) Health and sanitation: Denver is one of the foremost health centers in the United States. There are numerous sanitariums specializing in the treatment of tuberculosis. It is the home of Fitzsimons General Hospital, maintained by the Army. The State, county, and municipal health boards appear to be considerably above the average. General hospital facilities are excellent and adequate.

Street cleaning and sewage disposal are excellent. Storm sewers are exceptionally good.

(d) Schools: The school plant of 80 buildings is valued at \$22,000,000. There are 62 elementary schools, 10 junior high schools, and 5 senior high schools.

Denver University includes a graduate school, college of liberal arts, department of art, and schools of chemical engineering, electrical engineering, commerce, and law. It has a total enrollment of 3,387.



The University of Colorado has its medical school in Denver, situated at the Colorado General Hospital.

Other schools of higher learning are the Colorado Women's College, Regis College (Catholic), Iliff School of Theology, Loretto Heights College, and many professional, business, and commercial schools. The University of Colorado is at Boulder, 30 miles distant. The Colorado School of Mines is at Golden, 15 miles distant. Denver has several well-known schools of music and art offering day and night courses.

It was stated that no tuition would be charged for Army children in the public schools.

(e) Religious facilities: All denominations are represented, and the buildings are especially fine.

(f) The fire department is modern and would be available to the site if required.

#### IV. UTILITIES

1. Water: Water may be obtained from the Denver water supply or by the development of shallow or artesian wells at the site.

City water is present at the site, and there is already an artesian well which could be made capable of developing 200 gallons per minute. The present well is drilled to a depth of 953 feet. Another well of similar capacity would be required.

There is a 12-inch city main on the site which is not heavily loaded and which the engineers estimate would provide for the needs of the field, if city water were used. A 30-inch main is 1 mile distant.

There is no question of the sufficiency of water, either city or artesian. The cost of the city water, on a sliding scale, would be between 10 and 14 cents per 1,000 gallons. It is probable that the Government could provide its own artesian water at a saving. Shallow wells 18 feet deep, furnishing irrigation water, can be developed very cheaply. This method of developing cheap irrigation water is used at Fitzsimons Hospital. The city water is of fine quality, neither hard nor soft, and comes from the mountains.

2. Sewerage: An 8-inch sewerage line is already in operation on the site. This line feeds into the main sewerage system of the city of Denver. It is probable that the Government would install its own sewage-disposal plant. If not, the outlet to the city sewerage system would have to be increased to 18 inches.

3. Fuels—(a) Electricity: Electric power facilities are already on the site and are adequate to supply the needs of the school. The electric power is furnished by the Public Service Co. of Colorado, which has agreed to extend any additional facilities to the site without cost to the Government. The cost of electric power is average and is based on a sliding scale depending upon consumption.

(b) Gas: Natural-gas mains are within one-half mile of the site. Gas is piped from the Amarillo, Tex., fields. The average rate at Fitzsimons Hospital for 1933 was 14.7 cents per 1,000 cubic feet, which is considerably below average. The Public Service Co. of Colorado agrees to extend the gas mains to the site at no expense to the Government.

(c) Coal: Hard and soft coal is available from the Colorado fields. The price is \$15 per ton for the hard and around \$5 per ton for the soft coal, delivered.

(d) Wood: Wood is expensive—around \$15 a cord. Very little wood is used for heating purposes.

(e) Oil: Bunker C. oil, f. o. b. Denver, is quoted at \$2.05 per barrel of 42 gallons. White distillate for fuel purposes will vary from 5½ to 8 cents per gallon.

#### V. TRANSPORTATION AND COMMUNICATIONS

1. Rail: Denver is served by eight railroads, giving service in all directions.

There are no railroad facilities to the proposed site. There are three proposed switch lines, average from 3 to 4 miles in length, each of which would cost from \$60,000 to \$75,000 to build, not including cost of right-of-way. (For details see p. 35, Denver brief.) The following telegram was received on August 11, 1934:

"We propose to arrange for outright donation to Government for Air Corps Technical School of entire site with present buildings and equipment and with railway trackage to property.

"(Signed) DENVER CHAMBER OF COMMERCE,  
"C. A. SHINN, President."

2. Bus: Denver has good bus service. The committee stated that bus service to the site would undoubtedly be furnished.

3. Trolley lines: Good service which would undoubtedly be extended to site.

4. Roads: Good paved roads within and out of the city. Paved road now extends to the site.

5. Water: No water transportation.

6, 7, and 8. Telegraph, telephone, and mail: Usual excellent facilities for a city of its size.

#### VI. GEOGRAPHICAL LOCATION

1. Relation to Air Corps stations: Denver is about 700 miles from the present center of Air Corps population. Additional Air Corps stations on the west coast and the movement of Chanute Field to the West would shift this location closer to Denver.

2. Recruiting areas: The principal recruiting area for the technical school has been in the Middle Western States. In the past, however, the majority of the men who are anxious to be recruited for this school have been willing to present themselves at the school without expense to the Government. This question is therefore not considered a serious one.

3. Supply points: Denver would receive its Air Corps equipment from, and its equipment would be repaired by, the San Antonio

air depot, 800 miles distant. Quartermaster supplies would be received primarily from the Chicago depot, 900 miles distant.

4. Altitude and special features: Denver is approximately 1 mile high. In the opinion of the board, this presents both advantages and disadvantages. Take-offs and landings at a high altitude present certain flying hazards. Photographic missions which are normally flown at an average of 10,000 feet above the ground would require an altitude of 15,000 or 16,000 feet above sea level for their accomplishment. High altitude normally means cold winter and some snowfall. On the other hand, it is the opinion of the board that a high altitude station would furnish valuable experience for Air Corps personnel in altitude take-offs and landings and in high-altitude flying. The motors of our photographic planes will undoubtedly be supercharged in the future, and the advantages to be obtained from a high-altitude site would probably more than offset the disadvantages. The mountainous country close by would offer excellent photographic training. There is no high-altitude station in the Air Corps today.

High altitude means a healthful climate. While it is cold in winter, it is pleasant in the summer, and it is a well-known fact that the dry cold of high altitude is not as disagreeable as that at a low level. Air Corps officers who have done a great deal of flying at Denver state that at no time does the cold interfere with flying and that the snow on the ground interferes very little with landing and taking off.

Denver is well located from a strategical point of view, due to its interior location it would not be susceptible to air attack.

#### VII. CONSTRUCTION AND LABOR COSTS

Building and labor costs: Building costs are average, and the price of labor is that laid down by National Recovery Administration codes.

#### VIII. SUMMARY

Denver is a fine city of 300,000 inhabitants which the board is certain would take a great interest in the school and would cooperate fully in its support. The type of citizenry is exceptionally high, with the percentage of American-born considerably above average.

Every type of cultural advantage is at hand and readily available. Recreational facilities are exceptional due to the progressive attitude of the city and to its close proximity to the Rocky Mountains.

The site proposed is excellent and sufficiently close to the city to afford the personnel all of its advantages.

The climate affords all changes of season, and while it has its cold periods in winter, it should not interfere materially with flying operations. The summer climate is good. The altitude has its advantages and its disadvantages, as stated in paragraph VI 4. It is thought that the advantages outweigh the disadvantages. There is practically no fog or haze and normal visibility is very great due to the high altitude.

Denver is not particularly well located with respect to other Air Corps stations. It is 700 miles from the present center of Air Corps population.

Denver has a very low annual rainfall. This is compensated for by an adequate water supply, which is furnished at a reasonable rate and which makes irrigation inexpensive. The soil is fertile when irrigated.

The cost of living, including foodstuffs, servants, and rentals, is average. Building materials and labor are average.

Schools and religious facilities are considerably above average. In fact, they appear to be superior.

All utilities are available and reasonable in cost.

Rail transportation facilities are excellent. Switching facilities to the site would be furnished by the city.

Communications are on a par with other cities of the same size.

Denver has every attribute to make it popular with the commissioned, enlisted, and civilian personnel pertaining to the school.

#### IX. CONCLUSION

Denver is considered suitable as a location for the Air Corps Technical School for the following reasons, which, taken together, lead to this conclusion:

- (a) Fine, large modern city.
- (b) Good site which will be presented to the Government, together with several valuable buildings.
- (c) Excellent climate and recreational facilities.
- (d) Good location for training in altitude flying.
- (e) Good strategical location.

#### WAR DEPARTMENT,

THE ADJUTANT GENERAL'S OFFICE,  
Washington, December 6, 1934.

Subject: Board proceedings re location of Air Corps Technical School.

To: First Lt. Norman D. Brophy, Air Corps, instructor, National Guard, Denver, Colo.

1. A board of Air Corps officers visited Denver, Colo., on May 26-28, 1934, for the inspection of sites in that vicinity as to their suitability for the location of the Air Corps Technical School. The board, under pressure of necessity of inspecting other sites in many parts of the country, was unable to get satisfactory information on the possibilities of an accessible and suitable bombing and gunnery range. It is desired that you furnish this office as soon as practicable with information on this subject. In this connection, the following quotation from the report of the board is furnished you:



"Bombing and machine-gun range: No specific site was visited by the board, but it was stated that an accessible area could be acquired for a nominal sum within a few miles from the site. This area would be in the mountainous country to the west of the city."

2. The general specifications of the site for the Air Corps Technical School state:

"An extensive area on which bombing and machine-gun work can be done is desirable. A water area free from traffic and at least 10 miles square is acceptable. A swamp or other suitable land area of similar proportions used for the purpose must become Government property. It should be uninhabited. The area should not be more than 50 miles from the school site and preferably closer; the approach from the school to the area should be over relatively uninhabited territory for safety reasons; and in the case of a distant area, an emergency landing field should be contained therein."

3. Additional information desired includes a specific location of a bombing and gunnery range in the vicinity of Denver, its size, approaches, landing fields in the area of the range, and any other data you may deem pertinent. The terms upon which a bombing and gunnery site might be obtained should be stated.

4. This matter will be kept absolutely confidential. Those with whom you confer may be informed, if you deem it necessary, that the data now requested is for the purpose of completing the brief submitted by the city of Denver.

By order of the Secretary of War:

ROBERT L. COLLINS,  
Adjutant General.

[First endorsement]

OFFICE OF THE AIR CORPS INSTRUCTORS,  
COLORADO NATIONAL GUARD, LOWRY FIELD,  
Denver, Colo., December 29, 1934.

To: The Adjutant General, Washington, D. C.

1. The following information anent bombing and gunnery range for proposed Air Corps Technical School, Denver, Colo., is hereby submitted:

- (a) Description of range:
  - (1) Size, 10 miles by 10 miles.
  - (2) Location, approximately 12 miles east by southeast of proposed site of school; 19 miles from city of Denver.
  - (3) Terrain, slightly rolling prairie land.
  - (4) Approach to range; no obstructions.
  - (5) Emergency landing fields: At least four available on range.
  - (6) Approach from school: Several lanes over uninhabited area, with good emergency fields.
- (b) Terms.

The terms upon which bombing and gunnery site can be obtained cannot be stated at this time. I have contacted the chamber of commerce of the city of Denver and they advise me that they will immediately take the matter under consideration and notify me as soon as possible what they will do toward providing this land to the Government. Because of their action with regard to the present site of Fitzsimons General Hospital and their proposed tender of land for the location of the Air Corps Technical School, it is my belief that the city of Denver will provide the gunnery and bombing range without expense to the Federal Government. The chamber of commerce reply anent the subject of terms relative to gunnery and bombing range will be forwarded immediately upon its receipt.

2. After both an aerial and a ground survey of the proposed gunnery and bombing range I am convinced that same is adequate and provides all requirements for its purpose.

NORMAN D. BROPHY,  
Captain, Air Corps, Instructor,  
Forty-fifth Division Aviation, Colorado National Guard.

Mr. LEWIS of Colorado. It gives me great pleasure at this point to yield 5 minutes to my distinguished friend from Illinois [Mr. DOBBINS].

Mr. LEHLBACH. Mr. Speaker, I also yield the gentleman from Illinois 5 minutes.

Mr. DOBBINS. Mr. Speaker, following a time-honored custom I am going to discuss the merits of the bill rather than the advisability of granting or refusing the rule.

It happens that I have the honor to represent the district where the Air Corps Technical School is now located and where it has been located for many years. It happens by reason of this circumstance that I probably have more familiarity with this controversy and with its inception and with the peculiar reasons that lie back of the controversy than any other man on the floor of this House.

The proposition to move the Air Corps Technical School from Rantoul to somewhere else, no matter where, is not a new one. Our friends from Ohio know that for many years it was advocated that it be moved to Dayton, and as late as 2 years ago the Chief of the Air Corps, in testifying before the War Department Appropriations Subcommittee of this House, said that Dayton was the last choice he had for moving the school. He also stated at that time, and he

repeated the statement a year ago, it was not absolutely necessary to move the school at all.

At first, when the moving of this school was proposed, the Army officers were quite frank and open and aboveboard as to their reasons for wanting to move it. They wanted greater social and recreational advantages. Human nature has not changed from that time to this. They still want greater social and recreational opportunities than they feel are available at the present site of the field, but they have learned it is best to subdue or cloak these motives and find some other specious reasons to advance for moving the school. So they come before you and come before the Military Affairs Committee of this House with a report by three Army officers saying that this reason and that and another are reasons why the school should be moved from Rantoul, and in the same breath they advance reasons why Denver above all places is the only place in the world where it could be established. They were absolutely unanimous on that. Independently and collectively, they stated, they had reached the conclusion that Denver is the only place to put this field after investigating 57 cities in the United States that advocated the establishment of the field in their respective localities.

Strange indeed, is it not, that 57 fine cities were bidding for the location and 3 Army officers independently reached the same conclusion in favor of just one of the 57?

They should make some satisfactory explanation why they made such great inconsistencies in their report. Gentlemen, they brought back photographs of our field at Rantoul showing this land with men standing waist deep in water, and presented them to the Secretary of War without any comment whatever. They did not frankly say that the photographs were taken immediately after one of the worst floods that section has ever known.

But sometimes a man will be trapped by his own deception. They overlooked the fact that anyone could tell that these photographs were taken from the air, and that therefore, notwithstanding that condition, the planes from which the pictures were made were taking off from that same field while water stood on parts of it.

Gentlemen, is it not strange that we have got to the pass where our national defense must be entrusted to the tender mercies of a chamber of commerce somewhere in the United States?

This special board, according to their own testimony, in a space of only 39 days visited 34 cities, including Denver, where four sites were supposed to be inspected. Here is the story of their inspection of the Denver sites:

Colonel YOUNT. We arrived in Denver and were met by a small committee of the chamber of commerce. We were invited to a small dinner given at the Denver Club, attended by the president of the chamber of commerce and I think the mayor and four or five prominent citizens. We had a very delightful dinner, at which we discussed this school and its purposes.

The next day we were taken on a tour of inspection of the sites which were proposed, and for luncheon we were entertained at the chamber of commerce at a luncheon, I presume, of about 20 men, which was attended by the Governor and several prominent citizens, at which this matter was discussed in a businesslike way, after which there was a small meeting of the executive committee of the chamber of commerce, which was nothing but business.

On the next day we were taken on a tour of the city in order that we might see the parks, the schools, and the churches and have a good idea of the city itself.

We were taken on one short trip out into the mountains to see the recreational areas in that vicinity, and that consisted of our entertainment.

Can you see how, with less than 2 days at their disposal, this poor, overworked board of experts had any time left at Denver for looking into the technical aspects of the proposed locations?

There was brought to my attention about a month ago an issue of the Denver Post published just after the bill had been reported to the House.

Here is what they said in an editorial:

Indications now are that the Army Air School located at Rantoul, Ill., soon will be transferred to Denver. Its location here will mean the investment by the Federal Government of between six and



eight million dollars. The successful campaign for the location of this school in Denver was led by the chamber of commerce.

A news dispatch from Washington in reference to the pending bill published in the same paper on the previous day says:

The Denver Chamber of Commerce has been working steadily in behalf of the bill. Mr. W. B. Redding, an official of the chamber of commerce, has been here for several months.

A member of the chamber of commerce remains here to promote a question concerned with our national defense, or where this school should be located. I say to you that Congress should face its responsibility in this matter, and we should not evade that responsibility by approving a recommendation brought here by a board of Army officers who are deliberately concerned only with the social and recreational aspects of the question that concerns them. The point where this school is located now is the center of the area where the boys come from who attend the school. They are bright young men, high-school graduates, and the waiting list for admission there is long. It takes a year to get into the school after one applies for admission. But two boys came from Colorado last year, while from the eastern half of the United States came about three-fourths of the attendance. It should not be said that the reason but two came from Colorado is because Colorado is so far away from the school, farther away than Illinois, because at the same time 10 came from California, far on the other side of Colorado.

Mr. LUNDEEN. Mr. Speaker, will the gentleman yield?

Mr. DOBBINS. Yes; I am glad to yield to my friend.

Mr. LUNDEEN. Would the gentleman agree with me in this, that we cannot have too many air fields, and this field, being there, should be left there.

Mr. DOBBINS. This field being there should be left there as a matter of justice to this community, and to our great State of Illinois, which is not adequately or proportionately represented in the location of national institutions. It would be an affront to that great State, and would be resented by its citizens and every man who is interested in the welfare of the State to take away from us one of the few such institutions that we have. [Applause.]

Mr. LEHLBACH. Mr. Speaker, I yield 5 minutes to the gentleman from Illinois [Mr. SABATH].

Mr. SABATH. Mr. Speaker, I greatly regret that I am obliged to oppose the special rule which has been presented by my genial and personal friend from Colorado [Mr. LEWIS]. I know he is sincere, but, unfortunately, he is misled by the chamber of commerce of his city. At present I doubt if there is any justification for the transfer of this school in view of the fact that it cannot be done until 1939. I do not see why the resolution should be considered and brought here today under those circumstances. The bill provides that nothing can be done and shall not be done until 1939. Why not then give these great officers another 2 years in which to make an additional investigation. They have changed their recommendations only three times in the last 12 years, to my knowledge. First, they approved the present site, but later on found, as my colleague has stated, the social conditions were not to their liking. It was 12 miles from Urbana and about the same distance from Champaign, Ill., where they have a wonderful State university. I am commencing to feel that these officers are more interested in social affairs and social advantages than they are in endeavoring to serve the Nation, for which they have been originally educated and are now being handsomely provided. It seems to me that they want to have the very best and the most exclusive opportunities for themselves and their families. I regret that these officers should have imposed upon this House by again changing their recommendations. I know that only a few years ago every effort was made to take this school to Dayton, Ohio, because there was already established arrangements for their proper social functions.

Then later on they changed their views again. In 1917 it was found that Rantoul was a most advantageous site

and they had the school located there. A majority of the boys come from that section of the country. Most of the enlisted men are obliged to pay their transportation, and why should we call upon these boys who are not fair-weather boys like the officers, to pay additional transportation that would be imposed upon them if the school is moved to Denver. The officers are looking for fair weather, because I read in the report there are 2 more sunny days around Denver than around Rantoul, so they feel they should have the school changed.

Yes, it would appear that the officers lay great stress upon the fact that there are more clear days at Denver than at Rantoul. Do they feel that battles are only fought on clear days?

Mr. Speaker, as I have stated, the underlying reason for the desired change on the part of the officers is that there are limitations to the social activities around Rantoul. The recreational and sports facilities for officers in the community are very restricted and limited as evidenced by the following statement appearing in the War Department board report:

There are no water sports and practically no hunting. Two country clubs at Urbana and Champaign offer limited facilities to officers for golf and tennis.

I concede that the cities of Urbana and Champaign may not compare in grandeur and mountain scenery to Colorado Springs, so close to Denver, where it may be possible greater social advantages and functions would be afforded to the officers.

In conclusion let me state that this House did not ask for this investigation and the change is advocated by these officers mostly for the reasons which I have given. I feel it would be most unfortunate to impose additional hardship on the deserving young men who are endeavoring to obtain schooling to serve the Nation. [Applause.]

Mr. LEHLBACH. Mr. Speaker, I yield 10 minutes to the gentleman from Illinois [Mr. ARENDS].

Mr. ARENDS. Mr. Speaker, on April 29, by a far from unanimous vote, the House Military Affairs Committee reported out Senate bill 3398. Today we consider this bill under a rule allowing 1 hour of general debate. In the time allotted me I desire to bring some facts to your attention regarding this bill and the intent thereof.

In the year 1921 there was established at Rantoul, Ill., an Air Service technical school, commonly known as Chanute Field. In the past 15 years since its beginning this school has served the purpose for which it was intended, that of a technical ground school.

During the past several years, since 1928, there has been much agitation here and there for the removal of this field, requests being made to have it moved anywhere, just so that it would be dislocated from its present site in Illinois. Just where this demand for its removal originated is no longer a question, since a thorough investigation can lead an individual to believe but one thing, namely, that the personnel of the Air Corps would appreciate a different location.

After much bickering and a thumbs-down attitude by the Department, although money was appropriated but never allowed to be used to rehabilitate this school, a finding board was set up to investigate and determine when and where this school might be moved. I am wondering who said this school had to be moved. But the board was organized and proceeded to function. Now I make plain to you at this point, if I may, that I do not question these gentlemen who, headed by Colonel Yount, brought in this report on the board findings. However, discrepancies appear in this report which to my way of thinking can readily raise the question of doubt in anyone's mind who might have the time to read the full report and hearings, as to the necessity for the removal of this field and what might be gained thereby for the cause of the Air Corps.

Since my time is limited, I shall not attempt to give you a digest of the board's report or to go into any detail concerning the hearings on this matter. It is sufficient to state



that during the examination of witnesses before the committee many little side lights on the situation were brought to our attention.

The primary purpose for the removal of the school is given as "the necessity of a bombing range", which range site will be available at Denver. The citizens of Illinois were not informed of the necessity of such a site nor given an opportunity to learn whether additional ground might be made available at or near Chanute Field. Certainly little or no consideration was given the bombing range matter when Dayton, Ohio, the site of the Air Corps engineering center, was being favorably considered as the logical place for the technical school. I am not a prophet nor a prophet's son, so I hesitate to predict, in case the school is moved, as to just how much bombing practice will ever take place at the Denver site. But when we search the record and learn that the percentage of total hours of instruction, of enlisted men, for flying is 2.7 percent—page 69 of the hearings—and that such time for the Regular Army officers is less than 15 percent, one must begin to wonder how or when much bombing can be carried on at such an essentially ground school, regardless of its location.

Much ado was made concerning the climatic conditions in Illinois which it was cited in many instances made flying and photographic aerial instruction almost impossible, to successfully obtain profitable results. Statements of the board show that they obtained weather reports, and so forth, from locations at Springfield and Peoria, Ill., whereas such necessary meteorological reports are available at the school at Rantoul. Then why did they not use their own facts taken from actual conditions of past history as found at Chanute rather than go approximately 100 miles distant to gather such information. Frankly, I do not understand such procedure, and it all tends to leave the impression with me that more care might well have been exercised in determining the report of this board.

The report cites such items as higher cost of food in Illinois, which was disproved. Morale was mentioned as being low at Chanute. It is very true that the state of buildings and equipment at Chanute is in a deplorable condition, which possibly has much to do with any low morale that might exist, but that, of course, is for someone else to stand accountable for besides those in charge at the field. Such conditions exist at many of our posts today.

If at any time in the future much flying time is consumed by either the officers or personnel of such a typical ground school, we wonder if they will only be asked to do such work in the clear, fine air of a State such as Colorado. It might be too bad if, when an emergency arises, that our flyers can only manipulate during the best of air conditions and under certain circumstances. What do you suppose might happen to such flyers in time of war? We recently passed through such an experience when Army flyers attempted to carry the mails. They simply were not trained to meet all and any weather conditions which daily confronted them. Emergency landings can be made most anywhere in Illinois, but can such landings be made in a mountainous country? It is questionable.

The Board in its summary makes this statement. I quote:

The geographical location of Chanute Field is good in relation to other Air Corps activities.

Now, listen, as they also make this frank declaration:

It is also a good strategical location for a school.

Quartermaster supplies are furnished from Chicago, a distance of about 100 miles from the present school site, whereas the tentative site at Denver is about 900 miles from this supply center. Most of the students, approximately 421 out of 446 enlistments, from records at hand, come from points east of Colorado. Illinois has 80; Indiana, 33; Iowa, 19; New York, 21; Pennsylvania, 40; Wisconsin, 11, and so forth. In this connection you should know that when students are discharged from such a school, their travel pay back to the original place of enlistment is granted. Try to imagine the additional expense this will eventually mean to the Government. From the foregoing statement you will

readily deduce that Chanute Field is well located as to center of population for demands of such a school.

Mr. Speaker, I might state that I am honest and sincere in my belief that no great benefit is to be derived from a change in location of this technical school. As a member of the Military Affairs Committee I feel sure that I have always shown my willingness and intent to promote any and all plans which have as their purpose the furtherance of necessary national defense. If there might be any such question of national defense involved in this bill, it has not been brought to my attention. If such is the case, I think we of the committee should have so been informed, thereby allowing us to study the matter with such a viewpoint before us.

The officers of the school would, of course, much rather be located at Denver than at Chanute Field, for, as brought out and stated in the hearings, Denver was referred to as "the winter playground and the summer vacation land." I do not blame these officers for their zeal in desiring to move to Denver, but I do question the advisability of our acting on their wishes rather than the necessity and practicability of such a change. It is the duty of Congress to determine the question of removal of this school. Do you think that this Congress should function merely as a body to make necessary appropriations available for the Army and Navy, and then allow these forces the privilege of carrying on as they alone see fit? I cannot subscribe to such procedure. The great State of Illinois is vitally interested in this question before us today. Further investigation of this case might profitably be had. From the best information I have at hand, no appropriation will be available for either site during the coming fiscal year, which means that although the War Department may favor this change, nothing can be done about it at present. In the War Department's letter on this bill it is stated that favorable action thereon will not conflict with the President's program provided no funds are included in the Budget before the fiscal year 1939.

Furthermore, I am opposed to the principle of any chamber of commerce or municipality offering competitive inducement for War or Navy Department activities which might eventually prove detrimental to the best interests of our country.

When a judge issues instructions to a jury which is about to go out for a verdict on a case, he informs them that they must decide without a reasonable doubt. Mr. Speaker, a reasonable doubt on this question before us today does exist in my mind, and I am sure, if acquainted with all facts, that you will find yourself in the same position that I am today. I sincerely hope this bill will be defeated. [Applause.]

Mr. LEWIS of Colorado. Mr. Speaker, I yield 3 minutes to the gentleman from Texas [Mr. Dies].

Mr. DIES. Mr. Speaker, I would not undertake to pass judgment on the suitability of either one of these sites. To do so would require a technical experience and knowledge which I do not possess, and which, so far as I know, no other Member of the House possesses; but I do know that a board of experts charged with the responsibility of selecting suitable sites visited many places in the United States, including my own town.

After careful and exhaustive investigation they arrived at the conclusion that Denver was the proper place. Certainly I would not undertake to place my judgment in opposition to the trained and experienced judgment of this board. Those who were not successful in securing this desirable school should, it seems to me, acquiesce in the judgment of those whose duty it is and whose qualification and training equip them to select these sites. The other body has passed this bill. The Military Affairs Committee of the House has reported it favorably. The Rules Committee has reported a rule. So it seems to me the least we can do is to authorize the consideration of this bill on the floor of the House and give an opportunity to the author and sponsor of the bill to present it on its merits.

[Here the gavel fell.]



Mr. LEWIS of Colorado. Mr. Speaker, I yield 5 minutes to the gentleman from Ohio [Mr. HARLAN].

Mr. HARLAN. Mr. Speaker, this is about the eighth year in which this House has been buffeting back and forth the question of the location of the technical school. During 5 of these years I have appeared and presented all of the claims showing that Wright Field at Dayton, Ohio, is the proper location for this school. I am safe in saying that this field at Dayton has every qualification that Chanute Field has because of its advantageous location. It also has some of the advantages that Denver has. However, a bureau of experts has gone over the United States and weighed all of these possibilities. After 5 years of political jockeying whereby we were getting no place, the net result of all our efforts was that the Air Corps was not having a suitable technical school anywhere. The Chief of Staff and Chief of the Air Corps, as between Chanute Field and Wright Field, testified frankly that Wright Field was the preferable place. The Air Corps and the Army refused to accept or use the appropriation to build up Chanute Field because of that controversial situation. The supporters of Wright Field, under the old conditions, had the merits of the case, and Chanute Field supporters had the capacity to hold up the thing, and as a result that is where we were, and we were getting no place.

Mr. Speaker, the world is in no condition for us to "play horse" with this question any longer. The best judgment of the War Department says that Denver is the place for this field. Our entire Air Corps is going to be of no service to us if we do not have a suitably trained technical school personnel to keep these planes in the air. Our entire Army and defense system is not going to be of any avail to us if we do not have an active Air Corps in the air, and it makes no difference how many planes we have in the shops. In the interest of our country we can no longer afford to permit our ships to remain in the air without an adequately equipped technical school.

I will take second place to no man in this House in fighting for my district as against any other district. I have done so on this question for 5 years; but when my district comes up against the interests of the United States and against the interests of our national defense and against the interests of our own sons who have a good prospect of being dragged into war before very long, I think it is time for us to get a technical school in the United States [applause], and it is time for us to quit considering local interests.

The Federal Government can use Chanute Field for the best purpose to which it is adapted. There is no question about that. I do not know what that is. The Federal Government will use Wright Field, at Dayton, Ohio, for the best purpose to which it is adapted; but they say they want this technical school at a place where they can fly all the time, at a place where their facilities for testing bombing planes and machine guns are unlimited, and that they need the industrial surroundings at Denver. So long as they say that and so long as their own lives are involved in the decision, I am perfectly willing to agree with their verdict.

Mr. LUNDEEN. Mr. Speaker, will the gentleman yield?

Mr. HARLAN. I yield.

Mr. LUNDEEN. Did not the War Department select this other field in the first place? They were satisfied then, were they not?

Mr. HARLAN. This field was selected in 1921 for reasons that do not exist at the present time.

[Here the gavel fell.]

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

Mr. McSWAIN. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (S. 3398) to establish the Air Corps Technical School and to acquire certain land in the State of Colorado for use as a site for said Air Corps Technical School and as an aerial gunnery and bombing range for the Army Air Corps.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill S. 3398, with Mr. TARVER in the chair.

The Clerk read the title of the bill.

Mr. McSWAIN. Mr. Chairman, I ask unanimous consent that the first reading of the bill be dispensed with.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

The CHAIRMAN. Under the rule the gentleman from South Carolina [Mr. McSWAIN] is recognized for 30 minutes and the gentleman from New Jersey [Mr. McLEAN] for 30 minutes.

Mr. McSWAIN. Mr. Chairman, I yield 10 minutes to my colleague on the committee [Mr. HILL of Alabama].

Mr. HILL of Alabama. Mr. Chairman, I regret to find myself in disagreement with the splendid Representatives in this House from the great State of Illinois, whom I claim among my best friends in this body. I particularly regret to find myself in disagreement with the gentleman from Illinois [Mr. DOBBINS]. I am sure that I express the sentiments of every Member of this body when I say that all of us regret to see him leave this body, as he will, voluntarily, at the end of this session of Congress.

Whatever may be the outcome of the pending bill, I want to testify to the fact that although I do not agree with the gentleman from Illinois [Mr. DOBBINS] on the bill, he has certainly been faithful, diligent, and conscientious at all times in opposing the passage of the bill and the removal of the school from Rantoul, in his district. [Applause.]

We are not interested today, gentlemen, in chambers of commerce; we are not interested in what some newspaper writer may write in a news story, and we cannot let the interest of some community, large or small, in these United States be paramount in the consideration of the question before us. Our concern, first and foremost, must be the interests of the country as a whole, must be what is best for the defense and the safety of our country.

This bill comes here today because Chanute Field, at Rantoul, Ill., is not a suitable place for the technical school of the Air Corps. It does not meet the requirements for the school. The field at Rantoul was taken over by the Government during the World War.

Mr. SABATH. Mr. Chairman, will the gentleman yield?

Mr. HILL of Alabama. I shall try to yield to the gentleman a little later.

The Army at that time had no trained expert personnel to pass on the suitability of these fields. We had no Air Corps. We had a little staff tucked away in the Signal Corps that was trying to do something in the air, but we had no Air Corps such as we have today and have had for the past 10 years; no trained prepared experts; and we had no one qualified as experts to pass on the suitability of these fields. Furthermore, during the war we had to act under the pressure of necessity and haste; we had to take these fields more or less haphazardly. In 1921 the Air Corps Technical School was placed at Chanute Field not because the War Department at that time felt that it was the proper place for the school, not because the War Department wanted to put the school there, but simply and solely because the War Department had no other place to put the school. There were temporary wartime buildings at the field, and the War Department had to house the school somewhere, so it was put there simply because the housing necessary for the school happened to be there. Ever since I have been a member of the Committee on Military Affairs, a period of some 12 years, the War Department has insisted that Chanute Field was not the proper place for the school and has made many different efforts to get the school away from Chanute Field.

Reference has been made to the fact that the War Department has changed its mind, that at one time it wanted to take the school from Chanute Field to Wright Field at Dayton, Ohio. Yes; it is true that conditions were so bad at Chanute Field and the field was so unsuited to the needs of the technical school that the War Department did set up a board to see if the school could not be moved to Wright Field. Wright Field was under the War Department; we



had it, and we thought we might be able to house the school there. The board said, "Yes; as between Chanute Field and Wright Field, send it to Wright Field; do not keep it at Chanute Field." But that did not mean that Wright Field was the best place, and the board did not say so; it was just a matter of the lesser of two evils, so to speak.

Some 2 years ago the War Department, at the suggestion of many Members of Congress, selected a board of officers to study the question and make recommendations as to a proper location for the school. I recall that my distinguished colleague from Alabama [Mr. McDUFFIE] was one who took the matter up in person with the Secretary of War and urged that the War Department select such a board.

The board was composed of three officers, three of the most conscientious, the most competent officers in the Air Corps of the Army. The board went all over the country visiting some 57 cities trying to find the best location for the school. The board came into my State of Alabama, visiting at least three cities, and we tried to persuade the board that the best location for the school was in Alabama, but the board did not agree with us. After carefully studying the needs of the school and spending some several days at Chanute Field, and after making a most painstaking and most thorough investigation, the board unanimously reached the conclusion that the best location for the school was at Denver, Colo. I may say that the two cities found by the board to be next in availability to Denver, Colo., were two cities in the State of my distinguished colleague from Texas [Mr. SANDERS], namely, Dallas and San Antonio. Although these Texas cities were the second and third choices, Senator SHEPPARD, of Texas, chairman of the Senate Military Affairs Committee, was so impressed with the fairness and the thoroughness and the correctness of the report of the board favoring Denver that he led the fight on the floor of the Senate when the bill was passed in the Senate moving the school to Denver.

What is the trouble at Chanute Field? I will tell you. We call the school a technical school. It deals with aircraft equipment and matériel—it deals with machine guns used in airplanes, it deals with bombs and bombing equipment, with cameras and photography.

[Here the gavel fell.]

Mr. McLEAN. Mr. Chairman, I yield 5 minutes to the gentleman from Alabama [Mr. HILL].

Mr. HILL of Alabama. Mr. Chairman, the men in this school have to study this equipment on the ground, but that is not all. After they study the equipment on the ground they must take it in the air, and study it in the air, and practice with it in the air, because oftentimes equipment functions differently at low altitudes than it does at high altitudes; it functions differently oftentimes on the ground from what it does under the stress and strain in the air; metals expand and contract depending on the temperature; and there are many problems of this kind that must be worked out. The only way this school can carry on its training as it should be carried on is by taking these men and the equipment into the air. As it is today the climate, the haze, the fog, the weather conditions are so bad at Chanute Field that in some of the courses the men are not able to finish 50 percent of the flying requirements.

Mr. DOBBINS. Mr. Chairman, will the gentleman yield?

Mr. HILL of Alabama. Not at this point; I have only 5 minutes; I am sorry. Furthermore, you have got to have a bombing range where the men can take these great bombing planes and machine guns and actually fire at targets. They ought to have a range 10 miles square. There is absolutely no way of getting such a range as this at Rantoul or in the State of Illinois, for the State is too densely populated.

The cost of such a range in Illinois is absolutely prohibitive.

Now, what do we find in Denver? We find that the city of Denver is giving the Government a piece of property, or offering the Government a piece of property, which is just as large as the field at Rantoul. In addition thereto there are buildings on the field which the Quartermaster Corps values at \$400,000. There is not a single permanent building at Chanute Field. If the school is to remain there, en-

tirely new buildings will have to be built. At Denver there are over \$400,000 of permanent buildings already located, and, due to the unusual climate there, there are not over 2 days in a year when flying operations cannot be carried on.

In addition thereto, the school has to have a great bombing range. At Denver, or in its immediate vicinity, we will be able to secure 10 square miles where these men may get the practice that is so essential to their complete education. Furthermore, Denver is a mile above sea level. As the War Department says:

(1) With the advent of the high-powered, highly supercharged aircraft engine, designed to operate at high altitudes, together with highly developed aviation fuel and oil, it has been clearly evident for some time that the basic technical training of officers and men in the care, repair, maintenance, and operation of aircraft material should be carried on in an area more closely simulating atmospheric and climatic conditions encountered in high-altitude flying operations.

Mr. Chairman, 2 or 3 years ago we witnessed in this country the terrible tragedy of the loss of human life when the officers and men of the Air Corps sought to carry the mail. Why did those men lose their lives? Because they had not been properly trained and prepared to use the equipment which was so necessary to protect themselves in flying through the terrible weather. This matter not only goes to the question of the defense of our country and the efficiency of the Air Corps, but involves as well the life and limb of those brave boys who go up into the air in these planes. If we are to meet our responsibility to the whole country, we cannot do less than pass this bill giving to the Air Corps that location for its technical school which the board of experts, the Chief of the Air Corps, the Secretary of War, the Senate, and the majority of your Committee on Military Affairs states is the proper place, the right place, and the suitable place for the school to be located. [Applause.]

[Here the gavel fell.]

Mr. McLEAN. Mr. Chairman, I yield 12 minutes to the gentleman from Vermont [Mr. PLUMLEY].

Mr. PLUMLEY. Mr. Chairman, the report on this bill, which I filed on behalf of the preponderant majority of the committee, pretty well covers the situation. It is a summary of the facts which were made to appear before the Committees of the House and Senate on Military Affairs.

When the "red herrings" of commendable selfish interest, the inclination involved in personal and geographical friendships, social contacts, and political alliances, and other trivialities, superfluities, and generalities which have been drawn across the trail are disposed of, the road leads us, as legislators and thinking men, to the consideration of only one issue: That of national defense and of national safety involved in a recommendation by an Army board of strategy, upon whom rests the proper solution of such questions which, in the opinion of the War Department, are vital and constitute an instrumentality of no secondary importance in the preparation for and maintenance of a reasonable and adequate national defense. When life and the safety of the Nation is at stake, Chanute and Denver are but names. This point must not be minimized, nor lost sight of in our consideration of this measure.

In the first place, Chanute Field was selected as the location for the Air Corps Technical School back in 1921, because there were then buildings existing which could be utilized for this purpose, and the War Department had no funds with which to build a school at any other location. Some of the work done by this school had previously been done at St. Paul in temporary facilities which had to be abandoned. Part of the personnel of the school was at San Antonio, which location was abandoned in order that the repair depot at Dallas, Tex., might be consolidated with the supply depot at San Antonio.

The buildings at Chanute Field were and are wartime buildings, now so dilapidated and outworn as to be positively dangerous for occupancy. If there were any question in your mind as to the suitability, adequacy, and availability of this Chanute Field from the standpoint of the War Department, all questions which arise with respect to this matter ought



to be settled by the fact that board after board has been appointed for the purpose of considering all views and recommendations relative to the question of the location of the Air Corps Technical School elsewhere. This in itself is evidence of the fact that the present location was not considered proper, adequate, or satisfactory.

Recognizing the inadequacy and unsuitability of the present location, the selection of the proper place has been a matter of study for years. The last official action taken by the War Department by order of the Secretary of War with respect to an investigation concerning the selection of a site is found in an order of the Secretary of War to the Chief of the Air Corps of date February 15, 1934, to appoint a board of officers to consider all views and recommendations relative to the question of the location of the Air Corps Technical School and submit a report setting forth the views and recommendations with its conclusions and recommendations.

At the outset, before making any personal inspections, the board of officers prepared a questionnaire and letter of instructions, copies of which were sent to chambers of commerce or designated representatives of many towns and cities in various parts of the United States. In this questionnaire and letter were embodied certain specifications and requirements which, in the light of experience and of recent rapid development of military aviation, the Air Corps and the General Staff regard as characteristics essential to an ideal location for this particular instrumentality—the Air Corps Technical School. The purpose of this questionnaire was to elicit detailed information relative to the proposed sites and the conditions to be found in the neighboring communities and environs in order that such information might be available to the board at the time of its arrival for personal inspection and as an important aid to the board in the preparation of its final detailed report.

The board personally visited 57 cities throughout the United States, inspected proposed sites, and personally gathered a large amount of data in addition to that furnished by the respective local communities. It also received and considered briefs and other information from 25 localities other than those personally visited. Under date of August 15, 1934, the board submitted to the Chief of the Air Corps its confidential and unanimous report and recommendation.

This report and recommendation was checked and studied by the Chief of the Air Corps and was by him approved and recommended in a memorandum dated October 12, 1934. The report and recommendation was then referred to the General Staff, where it was given further careful analysis and consideration. In March 1935 it was transmitted by the War Department to the Military Affairs Committees of the House and Senate.

The board reaches the following conclusions and recommendations:

1. Conclusions: The board concludes that Chanute Field, Rantoul, Ill., is unsuitable as a location for the Air Corps Technical School and that the best location which it has been able to find is at Denver, Colo.

2. Recommendations: The board recommends that the site described in the Denver, Colo., brief be acquired by the War Department and that the Air Corps Technical School be located thereon.

Now, to repeat, may I say the Congress has had under consideration on several occasions the rebuilding of the Air Corps Technical School, now located at Chanute Field, Rantoul, Ill. This school was established at that place in 1921, in order to consolidate in the place then most convenient and in one school the mechanics school, which was located at Kelly Field No. 1, at San Antonio, Tex.; the communications school, then located at Post Field, Fort Sill, Okla.; and the photographic school, then located at Langley Field, Hampton, Va. The governing reasons for the selection of Rantoul, Ill., all things considered, were the availability of buildings on Government-owned land and the convenience of obtaining student personnel.

It is true that in 1928 a plan was considered to move the school to Wright Field, Dayton, Ohio, but after several years of consideration that plan was abandoned. In the meantime, funds appropriated for rebuilding the school were

withdrawn in 1933 by Congress, in view of the difficulty of determining where the school had best be located. Efforts made by the War Department since then to obtain funds for rebuilding the school have likewise failed, pending determination of its proper location. The buildings at Chanute Field, which were temporary buildings, constructed during the World War, have deteriorated rapidly in recent years to the extent that all are forced to admit that rehabilitation is no longer practicable or desirable.

Since the difficulty in obtaining funds was inseparably linked with the question of proper location of the school, the War Department, in 1934, presumably at the request of the Chief of the Air Corps, appointed a board of officers to make an extended survey of all suitable sites in this country with a view to recommending the best location for this school, all things considered. The board actually inspected 57 sites and considered a total of 82 sites, and recommended, as pre-eminently best suited, a site at Denver, Colo. The report of this board of officers is most thorough and convincing; and after detailed analysis in hearings before the subcommittee of the Committee on Military Affairs of the Senate, it still stands as a report which, for comprehensive and logical analysis of all factors involved, cannot be ignored. The Denver site recommended by the War Department board contains material advantages which make it outstanding over other sites for the purpose required. These advantages are clearly set forth in the reports of the Committees on Military Affairs of the Senate and House. The most outstanding advantages are provisions for a gunnery and bombing range within close proximity to the school, a climate which provides the greatest percentage of clear atmosphere for photographic instruction, an altitude which is in keeping with modern training requirements of the school, and buildings up to the value of \$400,000.

Since the predominant purpose of the school is to train enlisted mechanics and skilled photographic and communications personnel, the proposed site at Denver, Colo., will provide not alone better facilities but better recreational facilities for the enlisted men. Officers are able to provide for themselves recreational features desired wherever stationed, and the War Department stated that little importance was attached to that feature.

A pertinent advantage to be derived by the Government in the establishment of the school near Denver, as covered by the bill under consideration, is the donation to the Government not alone of the land for the school but also a tract of land for a gunnery and bombing range approximately 10 miles square. For aerial gunnery, in order to insure the safety of personnel on the ground, the tract of land must be large enough to permit effective maneuvering of the aircraft and have an ample safety zone beyond the range of modern .50-caliber aircraft machine guns. The saving to the Government will not alone be approximately \$400,000, the difference in cost of reconstructing the school at Denver rather than at Rantoul, Ill., but also the saving in the cost of this large tract of land for gunnery and bombing purposes.

To summarize, a board of practical, as well as technical, experts specially selected because of their integrity, their high attainments in the Air Corps, and their specialized knowledge and skill, devoted 6 months to an intensive study of the availability and suitability of various localities, and personally visited and inspected 57 proposed locations and considered the facilities and advantages of 27 others, in various parts of the United States. Their exhaustive confidential report, after having been checked and studied for 2 months by the Air Corps, was emphatically approved and recommended. The report was then rechecked and restudied throughout 5 months more by the General Staff and by the Secretary of War. After this exhaustive study, extending over 13 months, the report was sent to the Congress for appropriate legislation. The mere submission of the report to the Congress by the Secretary of War constituted a tacit approval thereof by the War Department. But in answer to a direct question by the chairman of your committee, the War Department has given its unequivocal answer that it favors the enactment of this legislation as it stands.



The Army regards this bill as major legislation involving not only the lives of men but also the national defense and hence the national safety. Proper solution of the question transcends personal, partisan, or local interests. It is a national problem. In arriving at its conclusion your committee has been controlled by facts, not by sentiment or by sectional or local considerations. The Air Corps Technical School is a highly important activity in the plan of national defense. It will increase in importance with the development of military aviation. Its permanent location and establishment in a place best suited to the carrying on of its own particular curriculum should be definitely settled without further delay. From the national point of view, it is of minor importance whether the establishment of this school in one place or another will detract from or contribute to the welfare of any section or local community. It is of great, even vital, importance to the national defense that there be selected that location which is best suited for this particular activity, thereby contributing most to the welfare of the United States of America as a whole, to its safety and its adequate defense.

In the opinion of the War Department, in which I concur, the bill involves an important instrumentality in the plan of national defense. It involves a fundamental and underlying question of military strategy, and the War Department, charged with responsibility for the determination of such questions, has said that this field should be located at Denver.

The Secretary of War favors the enactment of this legislation. The War Department has been given to understand and has been authorized to state that its position in nowise prejudices the program of the President.

Personally and officially I do not care to take the responsibility of superimposing my layman's judgment as against that of military technicians, strategists, and experts of the War Department, nor to go against the recommendations of the Secretary of War. I shall follow the recommendation of the War Department, accept its findings and recommendations, and follow its judgment, because of the nature and importance of the questions involved. In taking this position I believe I voice the sentiment of a considerable majority of the Committee on Military Affairs, at whose direction I made the report.

I am reminded in this connection that—

Those oft are stratagems which errors seem;  
Nor is it Homer nods, but we that dream.

[Applause.]

Mr. McSWAIN. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, I think I am as fair and as impartial a judge of this matter as any Member could be, because no city in my district was a candidate for this school, nor have we any Army activities in the district whatsoever. We did have at one time one old recruiting sergeant, and they even took him away from us; so the War Department has no strings on me, yet I am in favor of this recommendation of the War Department.

A large amount of data has been gathered by this board of officers, and I believe they were as fair and as impartial as it is possible for officers to be. I believe their conclusions are justified by facts, and I am willing myself to accept their recommendation. I may say that in the last year or so I visited Chanute Field, and through former visits I am familiar with the situation at Denver, Colo. Since I have no time to go into details, I am asking all my friends and those who have confidence in my judgment with reference to these matters to follow me in my conclusion that it is desirable to establish this school at Denver, Colo.

[Here the gavel fell.]

Mr. McSWAIN. Mr. Chairman, I yield 10 minutes to my friend the distinguished gentleman from Illinois [Mr. DOBBINS].

Mr. McLEAN. Mr. Chairman, when the Seventy-third Congress met it was my great joy to renew a friendship very dear to me, a friendship that had its origin when the gentleman from Illinois [Mr. DOBBINS] and I studied together in

law school. June 6 next will be the thirtieth anniversary of the graduation of our class from the law department of the George Washington University. Mr. DOBBINS, at the end of the present session, will retire voluntarily from Congress to resume his active law practice, and, if I know him as I think I do, to give to his home folks a large portion of his time and of himself in useful, unselfish, and patriotic public service. He brought to the House of Representatives a wide experience in the Postal Service born of many years as an inspector in that branch of our Government and an equipment for the public service gained by many years in the practice of law, and we have come to respect him for his sincerity and industry. He goes from us enriched by the experience he has had here and with all our good wishes. He will leave with us that same respect and esteem, that same affectionate regard, that he left with us who knew him so well as a student in his youthful days.

Mr. Chairman, it is my great privilege under the circumstances to yield to the gentleman from Illinois [Mr. DOBBINS] the balance of my time. [Applause.]

Mr. DOBBINS. Mr. Chairman, I am sure you realize I am deeply appreciative of this tribute that comes to me from the gentleman on the other side of the aisle. It comes as a surprise, but none the less it is appreciated. I am also grateful for the compliments paid by the ranking majority Member of the Military Affairs Committee. It is true that I am soon to leave this Chamber, but I leave it with most pleasant recollections of the confidence I enjoyed from my colleagues, not only during the times we found ourselves in agreement, but during those times when unfortunately we found it necessary to disagree.

Mr. LEWIS of Colorado. Will the gentleman yield?

Mr. DOBBINS. I yield to the gentleman from Colorado.

Mr. LEWIS of Colorado. Mr. Chairman, may I say that the fine things said by the gentleman from New Jersey [Mr. McLEAN] are most heartily shared by all of us from the West, and although we may differ on some matters of policy, we all regret that Mr. DOBBINS, of his own motion, has refused to be a candidate for reelection. We all wish him the best of success in whatever field he may engage. [Applause.]

Mr. DOBBINS. Mr. Chairman, I hope the Members do not get the idea from these generous eulogies that this is a funeral service. [Laughter.] In this case the corpse is very much alive and kicking, and expects to win his point today. He expects to win it deservedly upon the facts in the case.

You were told that in early life I chose the practice of law as my vocation. I have applied that to a study of this so-called evidence which has been discussed before you today, and I intend to let you have the benefit of that study of this very peculiar report that lies in front of the chairman but which I suspect he has never read. I think only one or two Members of this House have read it. I grant that my good colleague from Colorado has read it, and I have read it, but aside from that I challenge anyone to tell me he has read that testimony throughout, and I fancy that as my colleague from Colorado recalls that evidence there are many things in there he wishes were not there.

They talk to you about a board of experts. Can any man apply to himself the title of expert and thenceforth be accepted as one? What is an expert? In this matter he is a man who understands the science of aviation, the science of military aviation and all the problems that go with it. There was a chairman of this board, Lieutenant Colonel Yount. He has been in my hearing several times when I have demonstrated the faults of his report, and never once has he rendered an explanation of them. Perhaps he is within the hearing of my voice right now. This so-called expert who brings to you a report saying that a field 10 miles square, containing 100 square miles, is the absolute minimum for a bombing field, at the outset of this investigation of various sites stated while conducting an investigation at Rantoul that a half square mile, a mere half section, was adequate for the purposes of a bombing field and machine-gun range; and the other two alleged experts belonging to that board sat there with him and did not



contradict or correct the statement. Why, there is hardly a man on the floor of this House today, nonexpert though he may be, who does not know that a half section of land is not adequate for a machine-gun and bombing range. I see the chairman of the committee pointing his hand straight up in the air and indicating that all that is necessary is to drop a bomb straight down and you can hit a half section of land; but that is not the way, I may say to my expert chairman, bombing is done in the Army. A bomb is dropped from a fast-moving plane and a plane that may be 10,000 or more feet in the air. As it is released it travels forward with the speed of the plane, and may land half a mile or more beyond a line perpendicular to where it was released.

Mr. McSWAIN. Mr. Chairman, will the distinguished gentleman yield?

Mr. DOBBINS. I yield, indeed, to the splendid chairman of the Military Affairs Committee.

Mr. McSWAIN. Will not the gentleman admit that he must have misinterpreted entirely the gesticulation I was making?

Mr. DOBBINS. I saw the gentleman, and thought I could correctly interpret his gesture and whispered comment.

Mr. McSWAIN. I submit the gentleman did, but he cannot read my mind, and he did not hear me say anything. [Laughter.]

Mr. BLANTON. Mr. Chairman, will the gentleman yield?

Mr. DOBBINS. I yield to the gentleman from Texas.

Mr. BLANTON. What is the distance from Chicago to Denver—something like 900 miles?

Mr. DOBBINS. About 900 miles.

Mr. BLANTON. Is there not plenty of room and need to keep this bombing field where it is and within the 2 years put another one out in Denver?

Mr. DOBBINS. If Denver must have one, there is plenty of room there for one, I am sure.

Mr. BLANTON. I am sure another one 2 years from now would not be too many.

Mr. DOBBINS. I do not think so, but let me tell my friend from Texas that the Army has a bombing field in California, a large bombing field, and it does not use it.

Mr. BLANTON. That is about 600 miles away from Denver.

Mr. DOBBINS. Yes; and it has one at Fort Knox in Kentucky, and our boys from Chanute Field go down there 10 days in the year. They pack up their trucks and go down there and practice bombing. That is all the time they have chosen to require, and I assume it is enough.

Experts will tell you that the best bombing and machine-gun practicing is done over water, shooting at the shadow of the plane in the water, which darts about rapidly and furnishes an excellent target, instead of a fixed target, such as you use if you fly over land. Water is there in abundance just touching the State of Illinois, and only 100 miles away from this field is the whole southern tip of Lake Michigan, not with 100 square miles but 10,000 square miles, on which there is little commerce and which is under the control of the War Department, to be used as it pleases. Within 50 miles of Chanute Field are the Kankakee marshes, where all the land you want can be purchased for from \$15 to \$25 an acre. Oh, no; it is not the need for a bombing field that motivates our experts. If 100 square miles were essential for their purposes as a military requirement, why did not these experts know it when they set out upon this mission?

Oh, General Foullois told the Appropriations Committee shortly after this board had been set up that great care had been taken in the selection of these men and that an effort had been made to get men who would not be prejudiced against Chanute Field. I do not know why he was so careful to avoid prejudice unless he was conscious that a prejudice existed. This is a very strange statement for the general to make, but let me read what he said just before this board was selected:

What I am hoping to do is to have a board that knows nothing about it.

I think he got such a board. [Laughter.]

Mr. Chairman, I am now going to yield to the Member who prepared the majority report of the committee, my friend, the gentleman from Vermont [Mr. PLUMLEY], who would not yield to me. I want to ask him whether or not before this report was prepared, the gentleman from Vermont had seen the letter sent to his committee by the Secretary of War, dated February 24, 1936.

Mr. PLUMLEY. I think I heard the gentleman from Illinois refer to it.

Mr. DOBBINS. Did the gentleman ever see the letter?

Mr. PLUMLEY. I do not think I saw the letter.

Mr. DOBBINS. The letter was addressed to the chairman of the committee. Does the gentleman know whether it was read before his committee?

Mr. PLUMLEY. I heard the gentleman refer to it.

Mr. DOBBINS. Is that the first you ever heard of it?

Mr. PLUMLEY. Yes.

Mr. DOBBINS. I am surprised, because there appears in the report of the committee a statement from a colonel in the War Department saying that the War Department favors the passage of the bill.

Why did not the letter from the Secretary of War appear in the report? Here is what the Secretary of War says at the conclusion, after discussing the bill.

He says the transfer and construction will entail an expenditure of something over \$7,000,000, and then he concludes by saying that the passage of the bill would not conflict with the financial program of the President provided the expense thereof be not included in the War Department budget prior to the fiscal year 1939.

Subject to the above limitation, he writes, the War Department approves the bill. Why was not that put in the report, instead of what some understrapper said? Why should we have to dig it out of the files of the Military Affairs Committee? I do not know, I submit it to my colleagues for their consideration.

The gentleman from Alabama [Mr. HILL] says it is a matter of life and death, that the country is going to the demnition bowwows if this field is not transferred. Is not it strange that it will not be a matter of life and death for 2 years? For the Secretary of War advocates no moving of the school before 1939.

Mr. LUCAS. Will the gentleman yield?

Mr. DOBBINS. I am glad to yield to my colleague.

Mr. LUCAS. Does the gentleman think that if this field was located in either of their respective districts these gentlemen would object to the transfer?

Mr. DOBBINS. Oh, I would not impute bad faith to them. They have been very fair in dealing with me. But I suspect that if one of them had the present field located in his district he would be just as diligent in inquiring into the real facts of the situation and as reluctant to accept biased conclusions of so-called experts in the matter as I have been.

I discovered as a result of my examination and pointed out to this committee 15 of the grossest misrepresentations of conditions at Chanute Field that could be imagined.

Mr. PLUMLEY. Will the gentleman yield?

Mr. DOBBINS. I yield.

Mr. PLUMLEY. Is it not a fact that this bill is solely one to authorize the selection of a site?

Mr. DOBBINS. It is solely for a purpose which you gentlemen on your side of the Chamber have been condemning for the last 3 years, to rubber stamp a recommendation to carry out the desire on the part of certain Army officers to acquire for themselves greater social and recreational opportunities.

Mr. O'MALLEY. Will the gentleman yield?

Mr. DOBBINS. Yes; gladly.

Mr. O'MALLEY. Is the Chanute Field available for Reserve officers?

Mr. DOBBINS. Yes. Chanute Field is close to the center of population in this country.

Mr. O'MALLEY. In my State the only place the Reserve officers can get their training is down there, and they do not want to go out to Colorado to get it.



Mr. DOBBINS. Mr. Chairman, a great deal of talk has been indulged in about the poor climate of Illinois. Why, the colonel from the War Department admitted, as the facts compelled him to admit, that there is not any better flying place in the country than in Illinois. There are emergency landing fields available everywhere, and they are available only in rare instances in Colorado. They never have mentioned this fact, that the students attending that school will have to travel on an average of about 900 miles or 1,000 miles farther to get to the school if it is moved to the West away from the center of population, and the cost of that every year will be from \$25,000 to \$50,000. They have not mentioned the question or told this Committee and have made no calculation upon the subject of the cost of transporting quartermaster supplies to this school if it is moved to Denver. They did comment on the fact that the quartermaster supplies would still come from the quartermaster's depot at Chicago, if it is moved out there, and that matériel and flying equipment must still come from Dayton, 900 miles farther away from Denver than Chanute is. Yet these experts are ready to spend the money of the people which this Congress must appropriate and which this Congress must find by taxation, and they gave no thought and no calculation to the amount of that or the increased upkeep cost of this new location.

Mr. MAY. Mr. Chairman, will the gentleman yield?

Mr. DOBBINS. Yes, indeed.

Mr. MAY. The gentleman perhaps knows as a matter of fact that I as one member of the Military Affairs Committee signed the minority report, the only one that I have signed since I have been in Congress. I signed that after reading carefully several times the report of this board on this particular ground, and I want to read to the gentleman from that report:

There are no water sports and practically no hunting. Two country clubs at Urbana and Champaign offer limited facilities to officers for golf and tennis.

Mr. DOBBINS. Why bring that up? Why embarrass further these discomfited gentlemen?

Mr. MAY. After reading that carefully I made up my mind that the motive back of it was not the training of these boys in a mechanical understanding of this plant, after they had testified that 90 percent of all the work they do is on the ground.

Mr. DOBBINS. Not 90 percent, but 99 percent.

Mr. MAY. That is right.

Mr. DOBBINS. When I read that it made me mad. I know those golf courses and I know that they are good. I asked them what they meant by limited facilities, and their reply in the hearings was that as nonresident members they were not allowed to vote in the annual elections. Think of that!

Mr. O'MALLEY. Then it becomes a fact that you are not furnishing the right kind of social life at Chanute Field, and perhaps they can get a lot better social life in Colorado?

Mr. DOBBINS. Oh, Army officers are human just like the rest of us. The social advantages of Rantoul are not quite equal to what they are in Milwaukee or in the splendid cities of Kentucky or in my own cities of Urbana and Champaign, but they are only 14 miles away from the latter community, and since that prejudice was first formed, transportation facilities between my community and the field have greatly improved.

Mr. MEEKS. Mr. Chairman, will the gentleman yield?

Mr. DOBBINS. Yes. I am glad to yield to my colleague and neighbor.

Mr. MEEKS. The gentleman knows something about drainage. Something is said in the report about that. Knowing that the gentleman has had a great amount of experience with drainage matters in the State of Illinois and in the vicinity of this field, would he kindly make some statement in regard to that?

Mr. DOBBINS. I thank the gentleman for his observation, because that involves 1 of a list of 15 errors that I fear I am not going to find time to point out in detail. They did say in their report that the fall across Chanute Field is

insufficient for adequate drainage. They admitted, when testifying in the Senate committee, that 10 feet to a mile is adequate for drainage, and then they submitted the data placed there in front of the chairman, which includes a geological survey map of this square mile occupied by Chanute Field, showing indisputably that the fall across that field is 15 feet to the mile. Also, they said that the cost of living at Rantoul is far greater than it is at Denver. My good friend Mr. LEWIS showed by tables he placed in the RECORD that it is about the same, and I think that gives Denver a break, for my belief is we can live much more cheaply in Illinois than you can in Colorado. They also said the temperature was excessively hot, and that 60 days in the year it got above 90. That was not true. They did not even know that the temperature is regularly taken and recorded right there on the field. So they went over to Springfield, 100 miles away. They did not know, these experts, that at Chanute Field the Army Signal Corps maintains a sort of Weather Bureau service; and when that was brought to their attention, what did they say? They acted just like all pseudo experts do; they were all tangled up.

They said, "Oh, those readings were made by privates, and we could not rely on them." [Laughter.] That was their answer to that.

They said the water there was bad and would not yield to treatment. That was conclusively refuted by the expert testimony of reliable water-service engineers.

On the proposed Denver field they submitted two estimates of the cost of grading that field, where the ground levels have a variable elevation of more than 50 feet. There was an estimate of \$25,000 and an estimate of \$75,000. They generously accepted the \$25,000 estimate. Later on, in their testimony before the Military Affairs Committees, they admitted that it would cost \$100,000.

They say in this wonderful expert report, that insect pests are a nuisance at Chanute Field. The only testimony in this record here is by a medical officer who says the insects do not constitute a nuisance. In their report they said that the respiratory disease rate is excessive at Chanute. The medical officer testified to the exact opposite—that the respiratory diseases there were not excessive or different from what they were elsewhere. They testified as to the area of the bombing range, of which I have told you, first saying that one-half square mile was adequate, and later that a hundred square miles was necessary. There you find that old trick of determining just what you want and then afterward writing the specifications, so that that is the only thing you can get. It is a trick, I understand, that has been practiced before even in our great War Department.

Then there was the ridiculing of our country clubs. They did not find golf facilities there. There were not swimming facilities.

They said they had to have a field where they could take off in the prevailing wind without any obstructions. The prevailing wind at this field in Denver is from the south. The square mile immediately south of this proposed field is occupied by a cemetery with tombstones on it, and my nonexpert opinion is that it would be a very poor place in which to make an emergency landing. [Laughter.] But, above all, to cap the climax, here comes our good friend, Mr. HILL of Alabama, saying it is necessary to put this school at Denver because it has a high elevation, and the flyers can go up high. Well, how high is the sky at Rantoul? [Laughter and applause.]

The CHAIRMAN. The time of the gentleman from Illinois [Mr. DOBBINS] has expired.

Mr. McSWAIN. Mr. Chairman, I yield 8 minutes to my colleague from Pennsylvania [Mr. FADDIS], a member of the committee.

Mr. FADDIS. Mr. Chairman, I am sorry I do not have time to go into the matter of paying compliments, as I would like, indeed, to pay extended compliments to our distinguished colleague the gentleman from Illinois [Mr. DOBBINS], but I must get to the matter at hand. I fear, however, that the vote upon this matter will be based more upon paying a



compliment to him than upon the real merits of the legislation.

Summing up this matter, it resolves itself into this question: A board of officers of the Air Corps of the United States Army was appointed to decide upon a proper site for the Air Corps Technical Training School. After extended examination of a great many localities throughout the United States, they handed in a very extensive and complete report.

Mr. SABATH. Mr. Chairman, will the gentleman yield?

Mr. FADDIS. I cannot yield. I do not have the time.

This report has been quoted in part today. I want to call the attention of the Members of this Committee to the fact that there is a great deal more to the report than that which has been quoted by the opponents of this legislation. This report is very thorough and is composed of a great many other subjects than that having to do with the recreational facilities at this field. It takes up the site. It takes up the climatic conditions, the moral factors, utilities, transportation and communication, geographical location, construction and labor costs, and then a general summary.

The same headings were gone into both as to the Denver site and as to the Rantoul site. I assure you that the Committee on Military Affairs approached this matter with a great deal of deliberation, and that they approached it with a great deal of reluctance insofar as they were up against the responsibility of making a decision as to whether this field should, in the interest of the service, in the interest of national defense, be moved from its present location to another one.

There has been an attempt to becloud the issue. There has been an attempt to lead the minds of this Committee off of the question at issue by referring to that part of the report having to do with the recreational facilities. There has been an attempt to impeach the sincerity of the board and belittle their motives. This is a most unworthy move, as I am sure that the board acted in accordance with their best judgment and with the utmost sincerity. There has been an attempt to imply that the board was influenced in its decision by the Denver Chamber of Commerce. That is an unworthy insinuation. The one essential point in the entire matter is, will the moving of this field be for the improvement of our system of national defense?

Let us just for a moment look into the purpose of this school. The Members of this Committee will remember their college or high-school days and their various studies. Let us take, for instance, physics. When you studied physics you studied the theoretical side and then that study was supplemented by practical demonstrations in the subject matter covered in the study of the theory. The practical demonstration was for the purpose of fixing in your mind what you had studied in theory. It was important that it come in proper time and sequence. This school is run exactly on that same plan. The students study the theoretical side of the question and that study is supplemented with practical demonstrations. You all know how important it is in such a course, that when you have studied the theoretical side, that the practical demonstrations shall be carried out at the proper time and in the proper sequence.

What your Committee on Military Affairs took into consideration above all other things was the very fact that in this course of instruction, while they are pursuing this theoretical instruction, if the weather is not proper to follow it up at the proper time with practical demonstrations, then the students have lost a great deal of the value of the course. The evidence presented to the committee was overwhelming that such is a frequent occurrence. The evidence before the committee showed that in a great many instances students had left that school where they had completed the theoretical course, but had been unable to complete more than 50 percent of the practical course. Their course in such cases was only three-fourths complete.

As to the letter from the Secretary of War, part of it was read and, of course, part of it was not. I wish to read from the letter of the Secretary of War, dated February 24, 1936, in the third paragraph:

The above report was carefully studied in the War Department. The War Department arrived at the conclusion that the board's rating of the Denver field was fair and accurate, and that the site of the Chanute Field is, as reported by the board, unsuitable for the purpose.

Nevertheless, in view of the interest which had been shown in the matter by the Congress, the War Department transmitted this report to your committee without recommendation but with an expression of hope for an early decision in the matter.

The need for some action in respect to construction of an Air Corps technical school is critical. It is the opinion of the War Department that action to determine the matter should not longer be delayed. The proposed bill offers what the War Department considers an admirable solution. There is a marked lack of Air Corps establishments in the Rocky Mountains. For this reason alone, in addition to the many advantages enumerated by the board, the location at Denver of such a school, with airdrome and bombing and gunnery ranges available for transient units, is considered desirable.

This board was appointed by order of the Secretary of War and pursuant to its duties has recommended the change in good faith to increase the efficiency in our Air Corps.

Another important consideration is the relative cost of making either of the two locations into a suitable school. At Rantoul we must build from the ground up and in addition furnish a bombing range 10 miles square. Taking an average of the figures furnished for the Record by the gentleman from Illinois [Mr. DOBBINS], this range will cost \$1,280,000. At Denver it will be furnished free. A site for the school will be furnished free at Denver, and this site will have in addition a building worth \$400,000. This makes an item in favor of the proposed new location of \$1,680,000, a very considerable sum.

The CHAIRMAN. All time has expired. The Clerk will read the bill for amendment.

The Clerk read as follows:

*Be it enacted, etc.,* That the Secretary of War be, and he is hereby, authorized to establish in or near Denver, Colo., the Air Corps Technical School and to accept on behalf of the United States, free from encumbrance or conditions and without cost to the United States, for use as a site for the Air Corps Technical School, the title in fee simple to 640 acres of land, more or less, within the city limits of the city of Denver, Colo., including the property known as the Agnes (Phipps) Memorial Sanitarium, together with existing buildings and equipment located thereon; and also a tract of land within the State of Colorado, suitable for use as an aerial gunnery and bombing range by the Army Air Corps: *Provided,* That in the event a donor is unable to perfect title to any land tendered as a donation, condemnation of such land is authorized in the name of the United States, and payment of any and all awards for title to such land as is condemned, together with the cost of suit, shall be made by the donor.

Mr. SABATH. Mr. Chairman, this is an important matter. I think we ought to have a quorum present. Mr. Chairman, I make the point of order there is not a quorum present.

The CHAIRMAN. The Chair will count. [After counting.] One hundred and two Members are present, a quorum.

Mr. LUCAS. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I yield to no individual in my advocacy of an adequate national defense, and, for a number of years, as a Reserve officer in the Army and as a member of the Illinois National Guard at the present time, I have taken considerable interest in this very important national question. I know something about the subject matter in hand. Camp Grant, Ill., is one of the most important and up-to-date Army camps existing in America. Every year they have 2 weeks of training with some 15 or 20 airplanes doing all kinds of maneuvering and stunts. We have a sufficient range to take care of all of the bombing practice necessary for those planes; yet, Mr. Chairman, to show the insignificance of that part of Army maneuvers at this particular time in our history, I have failed to see a single bomb dropped from a plane during the last 2 years at Camp Grant.

I have heard considerable about the air, the sky, the invisibility, the clouds, and the low ceiling around Rantoul, Ill. I wonder if we were met with a similar argument when the same generals from the Army testified some 2 or 3 years ago that the weather conditions around Dayton, Ohio, warranted the removal of this school from Rantoul, Ill. At that



time they wanted to move it into Ohio, where they had the same character of climatic and atmospheric conditions and with a population density the same as we have in Illinois. Within 2 years, however, we find the same group recommending that the field go west instead of east.

I am particularly interested in the observations that have been made by my distinguished colleague from Illinois with regard to the recreational and social duties of these men connected with the Army. I know something about that, too, Mr. Chairman. That is the last thing this House should consider when it comes to transferring a school like the one at Rantoul away from that spot and to some place in the West. I agree with the distinguished gentleman from Texas [Mr. BLANTON] that if there is anything this country needs in addition to the fine program of defense that has been given us charitably by Republicans and Democrats alike during the present administration, it is a greater air force, more air schools, and not the transfer of a single one. As a Member of this House I would be happy to vote for any kind of an appropriation that would give Denver the type of school it seeks at the present time; but we in Illinois are asking that you not take away something that has been with us for a period of 20 years, an institution that was established in the beginning by the War Department as a school worth while and one that we believe is still worth while for the people of Illinois and this Nation from the standpoint of national defense. [Applause.]

[Here the gavel fell.]

Mr. McSWAIN. Mr. Chairman, I rise in opposition to the pro-forma amendment.

Mr. Chairman, I move that all debate on this amendment and on the bill close in 5 minutes.

The motion was agreed to.

Mr. McSWAIN. Mr. Chairman, I took only a couple of minutes on the bill, and did not expect, of course, this motion would be made to amend in this way. I thought we would come immediately to a consideration of the merits of the bill.

As I have said, and as you gentlemen know, I am in no sense at any time the echo of the War Department or any board of officers; but having heard this whole thing in and out for the last 8 or 10 years, being familiar with the ground, being familiar with the problem that confronts the Air Corps in the training of its officers and its enlisted personnel, I am convinced that it is to the interest of national defense that there be established at Denver, in accordance with the recommendation of this board of officers, an Air Corps technical training school.

The passage of this bill does not of necessity mean that there will not be any Army activities hereafter at Rantoul, Ill., at what is now known as the Chanute Field. This bill does not say it shall be removed. This bill does not say that Chanute Field shall be closed. The land there belongs to the Government of the United States and was bought by the Government at a good price; as a matter of fact, for more than it would bring today.

Mr. Chairman, I want to say it is good land from a farm point of view. The land around there is as fertile as I ever saw anywhere, and it would be prohibitive to think of acquiring a bombing range which would include such valuable farm land as is located in that part of the country.

Let me give you a little information from a financial point of view. The buildings alone, which Denver offers to give the Government absolutely free, will save an expenditure of over \$400,000. We must have a bombing range. There is no doubt about that. It is true, as stated, that we now have a bombing range in California, and it is being used now. I have seen them dropping bombs myself out there within the last 8 months. I was out there last October.

Mr. Chairman, if we were to acquire the necessary area for a bombing range anywhere within a practical distance of Chanute Field it would require the expenditure of an additional \$1,280,000. Add that to the \$400,000 which the Government will save in the buildings already constructed out in

Denver and there is an advantage of \$1,640,000 in favor of Denver.

[Here the gavel fell.]

Mr. MAY. Mr. Chairman, I offer a preferential motion. The Clerk read as follows:

By Mr. MAY: I move that the Committee do now rise and report the bill back to the House with the recommendation that the enacting clause be stricken out.

Mr. MAY. Mr. Chairman, as I stated a while ago, in the 6 years I have been a member of the Committee on Military Affairs I have never filed a minority or dissenting report. I have studied this case very carefully, however, and I am very reluctant to take a stand as between my colleagues from the State of Illinois and the State of Colorado. I have always believed in the rule that protects the under dog, and I am usually on his side of the fight.

Mr. Chairman, for 15 years this school has been maintained at Rantoul, Ill. Two or three efforts have been made to remove it from this location. This is perhaps the third effort.

Mr. Chairman, I want to answer very briefly, if I can, the argument made by my distinguished chairman, with whom I dislike very much to disagree, in regard to the question of finances. I might stop here to observe that if I were in his place at the end of the Seventy-fourth Congress of the United States I would apologize to the country and the Congress for raising a question about the small sum of \$400,000.

Mr. McSWAIN. Well, I will apologize, if it will satisfy the gentleman.

Mr. MAY. The gentleman stated there would be a gain of \$400,000 in connection with the buildings located at Denver and that added to another sum would make a difference of \$1,200,000. According to the testimony given by one of the Army officers the difference in cost between leaving this school at Rantoul without any additional improvements there and taking it to Denver and building a new school is \$6,758,000. You will find this statement at the bottom of page 68 of the hearings had by the House Military Affairs Committee. In other words, that is \$6,758,000 in favor of leaving the school at Rantoul, Ill., instead of taking it up root and branch and moving it 700 or 1,000 miles west so that these Army officers may have the benefit of a golf course or a tennis court. The prairies of Illinois are not broad enough for their use.

Mr. Chairman, I am opposed to this bill because the testimony shows very conclusively that this school should not be moved. I asked about the question of atmospheric conditions so far as the two fields are concerned, and it was shown that there is very slight difference. Furthermore, the evidence shows quite conclusively that more than 95 percent of the activities of these students are in the mechanics on the ground and I am more interested in seeing that the young air-corps students learn something in the way of a useful career than I am that someone has a better and more desirable golf course. Finally, Mr. Chairman, may I refer to a personal consideration by which I have not been influenced, but to which I am pleased to refer. This school is located in the district so long and so ably represented by our distinguished colleague [Mr. DOBBINS], and he has fought such a gallant fight to retain the school at Rantoul, and his zeal and good judgment as one personally familiar with the situation entitles his views to great weight in the determination of this important matter. He is leaving the House at the end of this session and I am sure he not only carries with him the esteem and high regard of all his colleagues, but of him his people can truthfully say, "Well done, good and faithful servant." We must not send him down to defeat in this last great battle for his home community. We will not, and I shall do my small part by voting against this bill, which ought not to pass. [Applause.]

The CHAIRMAN. Under the rule, the Committee rises. Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. TARVER, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (S.



3398) to establish the Air Corps Technical School and to acquire certain land in the State of Colorado for use as a site for said Air Corps Technical School and as an aerial gunnery and bombing range for the Army Air Corps, pursuant to House Resolution 515, he reported the same back to the House.

The SPEAKER. Under the rule, the previous question is ordered.

The question is on the third reading of the Senate bill.

The bill was ordered to be read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The question was taken; and on a division (demanded by Mr. McSWAIN) there were—ayes 38, noes 97.

Mr. McSWAIN. Mr. Speaker, I object to the vote on the ground there is not a quorum present.

The SPEAKER. The Chair will count. [After counting.] One hundred and fifty-seven Members are present, not a quorum.

The Doorkeeper will close the doors, the Sergeant at Arms will notify the absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 81, nays 206, answered "present" 1, not voting 138, as follows:

[Roll No. 107]

#### YEAS—81

Andrews, N. Y.	Ekwall	McSwain	Rogers, N. H.
Bacon	Faddis	Mahon	Schneider, Wis.
Bland	Fernandez	Mapes	Smith, Va.
Carlson	Fitzpatrick	Marshall	Smith, W. Va.
Carpenter	Ford, Calif.	Martin, Colo.	Starnes
Castellow	Greenwood	Maverick	Steagall
Clark, Idaho	Greener	Merritt, Conn.	Summers, Tex.
Coffee	Harlan	Merritt, N. Y.	Tarver
Collins	Hill, Ala.	Monaghan	Taylor, Colo.
Cooper, Tenn.	Hobbs	Moran	Taylor, S. C.
Cox	Jones	Mott	Thom
Crawford	Kloeb	Norton	Wadsworth
Cummings	Kniffin	O'Day	Warren
Dempsey	Kvale	Peterson, Ga.	Welch
Dies	Lambertson	Pettengill	Whelchel
Drewry	Lanham	Pierce	White
Driver	Lea, Calif.	Plumley	Wilson, La.
Duffy, N. Y.	Lehlbach	Polk	Zimmerman
Dunn, Pa.	Lewis, Colo.	Powers	
Eckert	McGrath	Ransley	
Edmiston	McLaughlin	Robertson	

#### NAYS—206

Allen	Crosser, Ohio	Hildebrandt	Mead
Amle	Crowe	Hill, Knute	Meeks
Andresen	Crowther	Hoffman	Michener
Arends	Culkin	Holmes	Millard
Ashbrook	Daly	Huddleston	Miller
Ayers	Darden	Hull	Mitchell, Ill.
Barry	Delaney	Imhoff	Nelson
Beiter	Ditter	Jacobson	O'Brien
Bell	Dobbins	Jenkins, Ohio	O'Connell
Biermann	Dondero	Johnson, Okla.	O'Leary
Binderup	Doxey	Johnson, Tex.	O'Malley
Blackney	Elcher	Johnson, W. Va.	Owen
Blanton	Ellenbogen	Kahn	Palmisano
Bloom	Engel	Keller	Parsons
Boehne	Evans	Kennedy, Md.	Patman
Boileau	Farley	Kennedy, N. Y.	Patterson
Boland	Flesinger	Kenney	Pearson
Boylan	Flannagan	Kleberg	Peyster
Brown, Ga.	Fletcher	Knutson	Pfeifer
Brown, Mich.	Focht	Kocialkowski	Pittenger
Buchanan	Ford, Miss.	Kramer	Ramsay
Buckler, Minn.	Frey	Lamneck	Ramspeck
Burch	Fuller	Larrabee	Randolph
Burdick	Fulmer	Lemke	Rankin
Burnham	Gassaway	Lewis, Md.	Reece
Cannon, Mo.	Gavagan	Lucas	Reed, Ill.
Cannon, Wis.	Gearhart	Luckey	Reed, N. Y.
Cartwright	Gehrman	Ludlow	Rich
Christianson	Gilchrist	Lundeen	Richardson
Church	Gildea	McAndrews	Robison, Ky.
Citron	Gingery	McClellan	Rogers, Mass.
Cochran	Goldsborough	McFarlane	Romjue
Colden	Granfield	McGehee	Ryan
Cole, Md.	Gray, Ind.	McLean	Sabath
Cole, N. Y.	Gregory	McLeod	Sanders, Tex.
Connery	Griswold	McMillan	Sauthoff
Cooley	Guyer	McReynolds	Schulte
Cooper, Ohio	Haines	Main	Secrest
Corning	Halleck	Maloney	Short
Costello	Hancock, N. Y.	Martin, Mass.	Sisson
Cravens	Hart	Mason	Smith, Conn.
Creal	Harter	Massingale	Smith, Wash.
Crosby	Hess	May	Snell

Snyder, Pa.  
Somers, N. Y.  
South  
Spence  
Stack  
Stefan  
Sullivan  
Sutphin  
Taber

Taylor, Tenn.  
Terry  
Thomason  
Thompson  
Tinkham  
Tobey  
Tolan  
Tonry  
Turner

Turpin  
Umstead  
Vinson, Ky.  
Wallgren  
Walter  
Wearin  
Weaver  
West  
Whittington

Wigglesworth  
Williams  
Wilson, Pa.  
Wolcott  
Wolfenden  
Wolverton  
Young

#### ANSWERED "PRESENT"—1

Bankhead

#### NOT VOTING—138

Adair  
Andrew, Mass.  
Bacharach  
Barden  
Beam  
Berlin  
Bolton  
Boykin  
Brennan  
Brewster  
Brooks  
Buck  
Buckley, N. Y.  
Bulwinkle  
Caldwell  
Carmichael  
Carter  
Cary  
Casey  
Cavichia  
Celler  
Chandler  
Chapman  
Claiborne  
Clark, N. C.  
Colmer  
Cross, Tex.  
Cullen  
Curley  
Darrow  
Dear  
Deen  
DeRouen  
Dickstein  
Dietrich

Dingell  
Dirksen  
Disney  
Dockweiler  
Dorsey  
Doughton  
Doutrich  
Driscoll  
Duffey, Ohio  
Duncan  
Dunn, Miss.  
Eagle  
Eaton  
Englebright  
Fenerty  
Ferguson  
Fish  
Gambrell  
Gasque  
Gifford  
Gillette  
Goodwin  
Gray, Pa.  
Green  
Greenway  
Gwynne  
Hamlin  
Hancock, N. C.  
Hartley  
Healey  
Hennings  
Higgins, Conn.  
Higgins, Mass.  
Hill, Samuel B.  
Hoeppe

Hollister  
Hook  
Hope  
Houston  
Jenckes, Ind.  
Kee  
Kelly  
Kerr  
Kinzer  
Kopplemann  
Lambeth  
Lee, Okla.  
Lesinski  
Lord  
McCormack  
McGroarty  
McKeough  
Maas  
Mansfield  
Marcantonio  
Mitchell, Tenn.  
Montague  
Montet  
Moritz  
Murdock  
Nichols  
O'Connor  
Oliver  
O'Neal  
Parks  
Patton  
Perkins  
Peterson, Fla.  
Quinn  
Rabault

Rayburn  
Relly  
Richards  
Risk  
Robinson, Utah  
Rogers, Okla.  
Russell  
Sadowski  
Sanders, La.  
Sandlin  
Schaefer  
Schuetz  
Scott  
Scrugham  
Sears  
Seger  
Shanley  
Shannon  
Sirovich  
Stewart  
Stubbs  
Sweeney  
Thurston  
Treadway  
Utterback  
Vinson, Ga.  
Werner  
Wilcox  
Withrow  
Wood  
Woodruff  
Woodrum  
Zioncheck

So the bill was rejected.

The Clerk announced the following pairs:

On this vote:

Mr. McCormack (for) with Mr. Dirksen (against).  
Mr. Richards (for) with Mr. Chandler (against).  
Mr. Colmer (for) with Mr. Schuetz (against).  
Mr. Duncan (for) with Mr. Schaefer (against).  
Mr. Hope (for) with Mr. Kelly (against).  
Mr. Dorsey (for) with Mr. Beam (against).

Until further notice:

Mr. Scrugham with Mr. Hamlin.  
Mr. Relly with Mr. Caldwell.  
Mr. Peterson of Florida with Mr. Rogers of Oklahoma.  
Mr. Carmichael with Mr. Kee.  
Mr. Deen with Mr. Robertson of Utah.  
Mr. Sirovich with Mr. McGroarty.  
Mr. Utterback with Mr. Eagle.  
Mr. Duffey of Ohio with Mr. Sandlin.  
Mr. Zioncheck with Mr. Sanders of Louisiana.  
Mr. Berlin with Mr. Cross of Texas.  
Mr. Parks with Mr. Oliver.  
Mr. Dunn of Mississippi with Mr. Brooks.  
Mr. Lesinski with Mr. Moritz.  
Mr. Doughton with Mr. Treadway.  
Mr. Woodrum with Mr. Perkins.  
Mr. Cary with Mr. Lord.  
Mr. Green with Mr. Bacharach.  
Mr. O'Connor with Mr. Darrow.  
Mr. Sears with Mr. Gifford.  
Mr. Cullen with Mr. Stewart.  
Mr. Montague with Mr. Andrew of Massachusetts.  
Mr. Vinson of Georgia with Mr. Woodruff.  
Mr. Clark of North Carolina with Mr. Bolton.  
Mr. Bulwinkle with Mr. Eaton.  
Mr. Gambrell with Mr. Thurston.  
Mr. Hancock of North Carolina with Mr. Brewster.  
Mr. Rayburn with Mr. Fish.  
Mr. Samuel B. Hill with Mr. Hollister.  
Mr. Kerr with Mr. Maas.  
Mr. Lambeth with Mr. Seger.  
Mr. Wilcox with Mr. Risk.  
Mr. Mitchell of Tennessee with Mr. Carter.  
Mr. Dingell with Mr. Douthick.  
Mr. Boykin with Mr. Cavichia.  
Mr. DeRouen with Mr. Goodwin.  
Mr. Dickstein with Mr. Hartley.  
Mr. Driscoll with Mr. Fenerty.  
Mr. Buck with Mr. Kinzer.  
Mr. Nichols with Mr. Englebright.  
Mr. Ferguson with Mr. Gwynne.  
Mr. Celler with Mr. Higgins of Connecticut.  
Mr. Mansfield with Mr. Marcantonio.



Mr. Hook with Mr. Withrow.  
 Mr. Dietrich with Mr. Higgins of Massachusetts.  
 Mr. Quinn with Mr. Gillette.  
 Mr. Barden with Mr. Houston.  
 Mr. Sadowski with Mr. Claiborne.  
 Mr. Lee of Oklahoma with Mr. Sweeney.  
 Mr. Montet with Mr. Murdock.  
 Mr. Werner with Mr. Wood.  
 Mr. Stubbs with Mr. Kopplemann.  
 Mr. Curley with Mr. Scott.  
 Mr. Chapman with Mr. Healey.  
 Mr. O'Neal with Mr. Gasque.  
 Mr. Brennan with Mr. Hennings.  
 Mr. Shanley with Mr. Dear.  
 Mr. McKeough with Mr. Dockweiler.  
 Mr. Shannon with Mr. Disney.  
 Mr. Rabaut with Mrs. Jenckes of Indiana.  
 Mr. Gray of Pennsylvania with Mr. Buckley of New York.

The result of the vote was announced as above recorded.  
 On motion of Mr. DOBBINS, a motion to reconsider the vote by which the bill was rejected was laid on the table.

#### MR. AND MRS. A. S. MULL

Mr. RAMSPECK. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 8069) for the relief of Mr. and Mrs. A. S. Mull, with a Senate amendment, and concur in the Senate amendment.

The Clerk read the Senate amendment, as follows:

Page 1, line 5, strike out "\$5,000" and insert "\$4,000."

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

The Senate amendment was concurred in, and a motion to reconsider was laid on the table.

#### PERMISSION TO ADDRESS THE HOUSE

Mr. TABER. Mr. Speaker, I ask unanimous consent that on Monday next, after the reading of the Journal and disposition of matters on the Speaker's table, I may be permitted to address the House for 10 minutes.

Mr. MAVERICK. I object, Mr. Speaker.

Mr. KNUTSON. Would the gentleman object to a similar request from me?

Mr. MAVERICK. I am objecting because the "red rider" bill is coming up Monday.

#### STATE PARK IN IOWA

Mr. BIERMANN. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 11929) granting to the State of Iowa for State park purposes certain land of the United States in Clayton County, Iowa.

Mr. SNELL. Mr. Speaker, reserving the right to object, I think the gentleman from Iowa should at least tell us what this bill does and what is the emergency for its passage at the present time.

Mr. BIERMANN. Mr. Speaker, this bill deals with some land that a lady named Mrs. Munn and her son, Dr. Munn, gave to the United States Government a few years ago for park purposes. It was to be under the authority of the Biological Survey. They admittedly have not done a good job of taking care of it for park purposes, and this bill would transfer the land to the Iowa Conservation Commission, which is our State park board. There is not a penny of expense involved, and the Committee on Agriculture has unanimously reported it out.

Mr. TOBEY. Mr. Speaker, if the gentleman will permit, I may say to the gentleman from New York [Mr. SNELL] that the Committee on Agriculture unanimously favors the bill. The committee went over it carefully yesterday morning.

Mr. SNELL. And there is no reason why this transfer should not be made?

Mr. TOBEY. No.

Mr. KNUTSON. It is a meritorious bill, and I hope the gentleman will withdraw his objection.

Mr. SNELL. I have no objection to the bill, but I wanted an explanation of its purpose.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That there is hereby granted to the State of Iowa, upon the conditions and limitations hereinafter expressed, the following-described land of the United States lying and being in the Upper Mississippi River Wild Life and Fish Refuge, in Clayton County, Iowa, aggregating 544.27 acres, more or less, to

be held and administered by said State for the purposes of a State public park:

Lots 2, 3, and 4, section 35, township 95 north, range 3 west, fifth principal meridian (excepting, however, from said lot 2 a strip of land on the north side 8 chains wide at the east end and 12 chains wide at the west end, containing 28.72 acres, more or less; and also excepting from said lots 2, 3, and 4, a strip of land containing 6.25 acres, more or less, being the right-of-way of the Chicago, Milwaukee, St. Paul & Pacific Railway), the parcel hereby conveyed containing, according to survey, 127.73 acres, more or less.

Lot 21, block 11; lot 21, block 13; lots 7, 8, 12, 14, and 17, block 14; and lots 4, 5, 6, 7, 8, and 9 block 42; all situate in the James McGregor, Jr., addition to the town of McGregor, Iowa, containing according to survey 1.57 acres, more or less.

A parcel of land in section 22 and 27, township 95 north, range 3 west, fifth principal meridian, described as follows:

Beginning at corner 1, the center of section 27, an established fence corner; thence south 89°23' east, with quarter-section line, 18.93 chains to corner 2, a 2-by-2-by-15-inch oak stake beside fence corner of land formerly owned by Pearl Johnson; thence with boundary of land formerly owned by Pearl Johnson, north 44° east 7.98 chains to corner 3, an elm post 5 inches in diameter, 4 feet above ground; thence south 54° east exactly 5 chains to corner 4, an elm post 4 inches in diameter, 4 feet above ground; thence south 44° west exactly 4 chains to corner 5, an elm stake 3 inches in diameter, 1 foot above ground; thence south 89°23' east, with quarter-section line and leaving land formerly owned by Pearl Johnson, 14.60 chains to corner 6, the quarter section between sections 26 and 27, a 6-by-6-by-48-inch post above ground, scribed "US", and a 1½-by-15-inch iron pipe above ground, in a mound of stone, a 10-inch red oak bears north 35° west thirty-eight one-hundredths, blazed and scribed "BT 5-2"; thence north, with the line between sections 26 and 27, 37.90 chains approximate, a 4-by-4-by-48-inch fir post in mound of stone on southwest side of road, exactly 40 chains to the line between sections 22 and 27, exactly 43 chains to corner 7, a point on west bank of the Mississippi River and in the east line of section 22; thence north 28°11' west, with west bank of the Mississippi River, 5.30 chains to corner 8, in the south line of "C" Street of the town of McGregor; thence south 86°48' west, with south line of "C" Street, 4.20 chains to corner 9, a 2-by-2-by-12-inch ash stake, above ground, at a point determined as the northeast corner of the unnumbered town lot owned by Eva Jordan; thence south 3°12' east, with the east line of the Eva Jordan lot as determined by this survey, 1.51 chains to corner 10, a 2-by-2-by-12-inch ash stake; thence with four lines in rear of block 14, south 86°48' west, 10.27 chains to corner 11, a point; thence south 77°21' west, 4.19 chains to corner 12, a point; thence north 49°38' west, forty-two one-hundredths chain to corner 13, the east corner of lot 19, block 14, a 4-by-4-by-36-inch fir post above ground in a mound of stone, scribed "US Corner 5-8"; thence south 40°22' west, 6.19 chains to the line between sections 22 and 27, 6.33 chains to corner 14, the east corner of lot 1, block 13, a 7-by-7-by-36-inch butternut post above ground, scribed "US 5-9", in a mound of stone; thence south 49°38' east, 1.51 chains to corner 15, a 9-inch white oak tree with a 5-by-5-by-24-inch ironwood post above ground, scribed "US 5-10", in a mound of stone, beside it, a 15-inch red oak bears north 50° east eighteen one-hundredths, blazed and scribed "BT 5-10"; thence south 40°22' west, 1.51 chains to corner 16, an 8-by-8-by-36-inch ironwood post above ground, scribed "US 5-11", in mound of stone; thence north 49°38' west, 1.51 chains to corner 17, a 1-by-4-by-36-inch oak stake above ground, at the east corner of lot 3, block 13; thence south 40°22' west 18.75 chains to corner 18, the east corner of lot 5, block 11; thence south 49°38' east 1.59 chains to corner 19, a 2-by-2-by-12-inch elm stake above ground, in mound of stone; thence south 0°24' east, 1.66 chains to corner 20, a 2-by-2-by-12-inch elm stake; thence south 20° east 1.11 chains to corner 21, a 2-by-2-by-12-inch oak stake on the north line of Fayette Street; thence east, with the north line of Fayette Street, 2.83 chains to corner 22, at the intersection with the east line of State Street; thence south 0°24' east, with the east line of State Street, 9.09 chains to corner 23, at the intersection with the south line of Howard Street, a 4-by-4-by-36-inch fir post above ground, scribed "US Cor. 5-18", beside a 24-inch red oak; thence west 6.36 chains to corner 24, in the quarter-section line between the northwest quarter and the northeast quarter of section 27, a 4-by-4-by-36-inch fir post above ground, scribed "US Cor 5-19", a 14-inch white oak bears south 20° east sixty one-hundredths, blazed and scribed "BT-19"; thence south 0°24' east, with the quarter-section line between the northwest quarter and the northeast quarter of section 27, 4.53 chains to corner 25, a 4-by-4-by-36-inch fir post above ground, scribed "US Cor 5-20", an 8-inch hickory bears north 85° west fifty one-hundredths, blazed and scribed "BT 5-20"; thence north 70°37' west 4.36 chains to corner 26, a 2-by-2-by-12-inch elm stake above ground; thence south 19°23' west, with line in rear of block 42, seventy-six one-hundredths chain to the northeast corner of lot 1, block 42, 8.42 chains to corner 27, in the quarter-section line, a 6-by-6-by-48-inch post above ground, in mound of stone; thence south 89°23' east 6.85 chains to the place of beginning (excepting therefrom a circular piece of ground, 2.27 chains in diameter surrounding the McGregor City Water Reservoir, containing forty-one one-hundredths acre, more or less; and a strip of land containing 1.50 acres, more or less, being the right-of-way of the Chicago, Milwaukee, St. Paul & Pacific Railway), the parcel hereby conveyed containing according to survey 152.35 acres, more or less.



Lots 6, 7, 8, 12, 13, 14, 15, 16, 17, and 18, block 30; lots 1, 2, 3, 4, 5, 6, 7, west half lot 9, all of lots 10, 11, 12, 13, 14, and 15, block 33; lots 1, 2, 3, 4, 5, 9, 10, 11, and 12 block 36; all situate in the James McGregor, Jr., addition to the town of McGregor, containing according to survey 3.72 acres, more or less.

A certain parcel of land in the NW $\frac{1}{4}$  sec. 27, T. 95 N., R. 3 W., fifth principal meridian, described as follows:

Beginning at corner 1, the quarter corner between sections 27 and 28, an established fence corner with a 1 $\frac{1}{2}$  by 12-inch iron pipe above ground, beside it; thence south 89°23' E., with the quarter-section line between the NW $\frac{1}{4}$  and the SW $\frac{1}{4}$  of section 27, 11.16 chains to corner 2, an established fence corner; thence north 18°14' E., 13.31 chains to corner 3, an established fence corner with a 4 by 4 by 36-inch hickory post above ground, scribed "US 6-3", beside it, a 10-inch hickory bears north 25° west 42 blazed and scribed "BT 6-3"; thence south 70°57' E. 3.93 chains to corner 4, the northwest corner of lot 1, block 37, town of McGregor, thence north 19°3' E., with rear line of block 36, 10.93 chains to corner 5, a 2 by 2 by 12-inch ash stake above ground, marked "US 6-5", in the south line of Elm Street; thence north 68°55' W., with south line of Elm Street, 10.44 chains to corner 6, a 3 by 3 by 12-inch ash stake above ground, marked "US 6-6", at the northeast corner of lot 1, block 33; thence south 21°5' W., with two lines in rear of block 33 1.55 chains to corner 7, a 4 by 4 by 36-inch fir post above ground, scribed "US Cor 6-7", an 8-inch hickory bears south 30° W. .70 blazed and scribed "BT 6-7"; thence south 73°25' W. 12.80 chains to corner 8, a point in Spring Creek on the line between sections 27 and 28, a witness corner falls fifteen east on bank of creek, a 4 by 4 by 40-inch fir post above ground, scribed "US Cor 6-8", in a mound of stone, a 30-inch elm bears south eighteen; thence south 0°2' E., with line between sections 27 and 28, 20.25 chains to the place of beginning, containing, according to survey, 38.55 acres, more or less.

Lots 13, 14, 15, and 16, block 18; lots 1, 2, 3, 4, 5, 6, 9, 10, 11, 12, 13, 14, and the east 20 feet of lot 15, block 26, all situate in the James McGregor, Jr., addition to the town of McGregor, Iowa, containing, according to survey, 1.84 acres, more or less.

A certain parcel of real estate in sections 22 and 27, T. 95 N., R. 3 W., fifth principal meridian, described as follows:

Beginning at corner 1, the point where the line between sections 21 and 22 intersects the south line of the Giard claim, an established fence corner; thence S. 0°2' E., with line between sections 21 and 22, 9.07 chains to corner 2, a point in fence line; thence S. 69°11' E., parallel to and 3.40 chains northeast of the northeast side of block 27, 10.13 chains to the line between sections 22 and 27, 18.07 chains to corner 3, the west side of Cemetery Road and northeast corner of the Chapin lands, a 4-by-4-by-36-inch fir post above ground, scribed "US Cor 1-3", beside an established fence corner; thence S. 20°49' W., 3.41 chains to corner 4, the northeast corner of lot 17, block 26; thence S. 69°11' E., with the rear line of block 26, 12.12 chains to corner 5, a 1-by-12-inch iron pipe above ground at the rear corner to blocks 18 and 26; thence S. 82°22' E., with rear line of block 18, 2.85 chains to corner 6, a 1-by-12-inch pipe above ground and an 8-by-8-by-48-inch oak post above ground, scribed "US 1-6", in mound of stones; thence N. 49°47' W., 1.47 chains to corner 7, a 5-by-5-by-24-inch basswood post above ground, scribed "US 1-8", in mound of stones; thence N. 40°13' E., 3.03 chains to corner 8, a 5-by-5-by-30-inch basswood post above ground, scribed "US 1-8", in mound of stones; thence S. 49°47' E., 3.27 chains to corner 9, a 2-by-2-by-15-inch oak stake above ground, at the rear corner common to lots 4 and 5, block 18; thence N. 40°13' E. with rear line of blocks 18 and 17, 12.51 chains to the line between sections 27 and 22, 14.46 chains to corner 10, a 2-by-2-by-15-inch oak stake above ground; thence N. 49°47' W., 2.11 chains to corner 11, a 2-by-2-by-15-inch oak stake above ground; thence N. 40°13' east 1.14 chains to corner 12, a 2-by-2-by-12-inch oak stake above ground, on the line between lots 5 and 6, block 20; thence north 49°47' west 1.96 chains to corner 13, the rear corner common to lots 5 and 6, block 20; thence south 40°13' west with rear line of said lot 6, 1.25 chains to corner 14, an established fence corner in the northwest side of lot 6, block 20; thence north 59°12' west 1.44 chains to corner 15, a stake; thence north 30°48' east 1.51 chains to corner 16, in the rear line of block 21 at a point 1.71 chains westerly of the south corner of lot 1, block 21; thence north 59°12' west with the rear line of block 21, 15.19 chains to corner 17, a 7-by-7-by-48-inch oak post above ground, scribed "US 1-17", on the south line of the Giard claim; thence south 87°49' west, with the south line of the Giard claim, 25.86 chains to the place of beginning (excepting, however, therefrom, 12.19 acres, more or less, described as follows: Beginning at corner 1, a chiseled cross and mound of stones, on the extreme southwest point of the rock bluff northwest from what is known as Market Square in the town of McGregor, the intersection of Garnaville Avenue and Buell Avenue bears south 10°35' east, 5.88 chains distant; thence north 24°40' west 7.94 chains to corner 2, an established fence corner; thence north 44°10' east 6.17 chains to corner 3, a 4-by-4-by-36-inch fir post above ground, scribed "US 3-X", in a mound of stones; thence north exactly 64° east 3.50 chains to corner 4, a 4-by-4-by-42-inch fir post above ground, scribed "US 4-X", in mound of stones, on rock point at brink of bluff; thence south 53°50' east 10.47 chains to corner 5, a 3-by-3-by-36-inch oak post above ground and a 2-by-12-inch iron pipe above ground, in mound of stones which is on brink of bluff over brick schoolhouse, thence south exactly 34° west 2.34 chains to corner 6, a 4-by-4-by-42-inch fir post above ground, scribed "US 6-X", in mound of stones and beside a chiseled cross on a large boulder; thence south exactly 55° west 4.70 chains to

corner 7, a 3-by-3-by-18-inch oak stake above ground; thence south 71°55' west 7.77 chains to the place of beginning) the parcel hereby conveyed containing, according to survey, 53.58 acres, more or less, subject to any existing rights or easements for roads over or across the above-described land.

Lots 4, 5, and 6, block 46, in the James McGregor, Jr., addition to the town of McGregor, Iowa, containing according to survey thirty-four one-hundredths acre, more or less.

A certain parcel of land in the southeast 160 acres of the Giard claim, and within what would be section 22, township 95 north, range 3 west, fifth principal meridian, described as follows:

Beginning at corner 1, the rear corner common to lots 9 and 10, block 3, town of McGregor, or 1.51 chains northwesterly from the south corner of the Goodie Garden Confectionary Building; thence north 48°53' W., 6.08 chains to corner 2, a 1-by-12-inch galvanized iron pipe above ground, in a mound of stone; thence north 79°5' W., 8.34 chains to corner 3, in the rear line of block 46 and sixty-nine one-hundredths chain southeast of the north corner of said block 46; thence south 38°53' E., with the rear line of blocks 46 and 45, 6.26 chains to corner 4, the rear corner common to lots 8 and 9, block 45; thence south 21°43' E., with two rear lines of block 45, 3.17 chains to corner 5, a point; thence south 49°38' E., 2.62 chains to corner 6, the east corner of lot 1, block 45, a 4-by-4-by-36-inch hickory post above ground, scribed "US 3-5", a 10-inch oak bears north 45° E., twenty-nine one-hundredths chain blazed and scribed "BT 3-5", an 8-inch hickory bears north 55° W., thirty one-hundredths chain, blazed and scribed "BT 3-5"; thence south 40°22' W., with the southeast line of block 45, 1.51 chains to corner 7, the south corner of lot 1, block 45; thence north 88°59' E., with the north line of "A" street, 2.34 chains to corner 8, in the rear line of block 3; thence north 40°22' E., with the rear line of block 3, 6.56 chains to the place of beginning, containing according to survey 6.11 acres, more or less.

A certain parcel of land, situated in lot 9 of the southeast 160 acres of the Giard claim and within what would be section 22, township 95 north, range 3 west, fifth principal meridian, described as follows:

Beginning at corner 1, a point in the north line of said lot 9 and 11.35 chains east of the northwest corner thereof, being the north corner common to the Munn lands and the Lorang property, a 5-by-5-by-48-inch white oak post above ground, in a mound of stone, a 20-inch white oak bears south 67° east, sixty one-hundredths chain, blazed and scribed "BT 2-1", a 10-inch hickory bears south 6° east, eighty-nine one-hundredths chain, blazed and scribed "BT-21"; thence north 89°59' east, with the north line of said lot 9, 20.87 chains to corner 2, a 10-by-10-by-32-inch oak post above ground, scribed "US 2-2", and a 1 $\frac{1}{2}$ -by-15-inch pipe above ground, in a mound of stone, at the northeast corner of said lot 9, a 16-inch white oak bears south 20° west, thirty-six one-hundredths chain, blazed and scribed "BT 2-2"; thence south 8°35' east, with line between lot 9 and lot 8 of southeast 160 acres of Giard Claim, 6.89 chains to corner 3, the northwest corner of lot 7, a 1-by-12-inch iron pipe above ground, between trees with old blazes, a 10-inch twin black oak bears south 38° west, eight one-hundredths chain, scribed "BT 2-3", an 18-inch black oak bears north 10° west, thirty-four one-hundredths chain, scribed "BT 2-3"; thence south 58°14' west with line between Munn lands and property of the Northeastern Iowa Outers Association, 20.04 chains to corner 4, a 6-by-6-by-42-inch basswood post above ground, in a mound of stones, in the line between lots 9 and 10, a 12-inch butternut bears south 28° east, thirty-five one-hundredths chain, blazed and scribed "BT 2-4", a 20-inch sycamore bears north 68° east, forty-one one-hundredths chain, blazed and scribed "BT 2-4"; thence north 29°51' west, with two lines common to lots 9 and 10, 9.11 chains to corner 5, a point in said line; thence north 69°15' west, thirty-five one-hundredths chain to corner 6, a 5-by-36-inch ash post above ground, in mound of stone, the south corner common to the Munn lands and the Lorang property; thence north, with the line between Lorang and leaving the line between lots 9 and 10, 3.46 chains to a 4-by-4-by-42-inch fir post above ground, scribed "US 3.46" with arrow pointing south, being on the north side of the Heights Road, 9.33 chains to the place of beginning, containing 26.62 acres, more or less, subject to any existing rights or easements for roads over or across the land above described.

Lots 4, 5, 6, 7, 8, and 9, block 48, in James McGregor, Jr., addition to the town of McGregor, Iowa (excepting therefrom a strip of land being the right-of-way of the Chicago, Milwaukee, St. Paul & Pacific Ry.), the parcel hereby conveyed containing according to survey sixty-nine one-hundredths acre, more or less.

Lot 7, excepting a strip 1 chain in width along the west side, in the southeast 160 acres of the Giard claim and within what would be section 22, township 95 north, range 3 west, fifth principal meridian, described as follows:

Beginning at corner 1, a 2-by-12-inch iron pipe above ground in a mound of stone, and on the north line of said lot 7, one chain easterly from the northwest corner thereof; thence south 9°7' east, parallel with and 1 chain east of the west line of lot 7, 6.19 chains to corner 2, a point on brink of cliff in the south line of lot 7; thence north 82°30' east, with line between lot 7 and lot 6, 3.08 chains to a 4-by-4-by-36-inch fir post above ground, scribed "US 4-3", in mound of stone, on west side of McGregor-Marquette Road, 4.44 chains to corner 3, the corner common to lots 6 and 7 and block 48 of the James McGregor, Jr., addition to the town of McGregor; thence north 8°15' west, with the line between lot 7 and block 48, 5.72 chains to corner 4, the corner common to lots 7 and 8 and block 48 of the town of McGregor; thence south



88°30' west, with the line between lots 7 and 8, 1.84 chains to a 4-by-4-by-36-inch fir post above ground, scribed "US 4-4", in mound of stone, on west side of McGregor-Marquette Road, 4.58 chains to the place of beginning, containing, according to survey, 2.63 acres, more or less, subject to existing easements for roads and railroads.

A strip of land  $4\frac{1}{2}$  chains wide along the north side of lot 1, section 11, township 94 north, range 3 west, fifth principal meridian (excepting therefrom a strip of land containing sixty-five one-hundredths acre, being the right-of-way of the Chicago, Milwaukee, St. Paul & Pacific Ry.), the parcel thereby conveyed containing according to survey 10.89 acres, more or less.

Lot 4, section 11, township 94 north, range 3 west, fifth principal meridian (excepting therefrom a strip of land containing 3.09 acres being the right-of-way of the Chicago, Milwaukee, St. Paul & Pacific Ry.), the parcel hereby conveyed containing according to survey 42.36 acres, more or less.

Lot 1 and the north half of lot 2, section 23, township 94 north, range 3 west, fifth principal meridian (excepting therefrom a strip of land containing 7.56 acres, being the right-of-way of the Chicago, Milwaukee, St. Paul & Pacific Ry.), the parcel hereby conveyed containing according to survey 75.24 acres, more or less.

The State shall improve and maintain the said land for such purpose, and not otherwise, and shall provide adequate conveniences for the public. No fee or other charge shall ever be imposed or exacted for admission of the public to the park or for use and enjoyment of the park by the public under such reasonable regulations as may be prescribed by the State or its authorized officials. The State shall sedulously safeguard the wildlife in the park from molestation and destruction, and shall do everything reasonably necessary to safeguard the park from injury by fire, or otherwise, and shall preserve the timber and other natural growth in the park from depredation and destruction. In the event the State shall fail to maintain the aforesaid granted land as a State park under the conditions and limitations herein prescribed, or upon abandonment of the park by the State, said land and all improvements thereon shall revert to the United States.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

**AWARD POSTHUMOUSLY OF DISTINGUISHED SERVICE MEDAL TO  
MAJ. GEN. CLARENCE RANSOM EDWARDS**

Mr. CONNERY. Mr. Speaker, I ask unanimous consent for the present consideration of the joint resolution (H. J. Res. 570) authorizing the President of the United States to award posthumously a Distinguished Service Medal to Maj. Gen. Clarence Ransom Edwards.

Mr. WIGGLESWORTH. Mr. Speaker, reserving the right to object, I shall, of course, not object. I simply want to congratulate and commend my good friend and colleague the gentleman from Massachusetts [Mr. CONNERY] and the members of the Committee on Military Affairs for making it possible to pass this legislation today.

During the closing years of his life, Maj. Gen. Clarence R. Edwards, beloved commander of the Twenty-sixth Division, was a distinguished resident of the district which I have the honor to represent. It was he, perhaps as much as any other individual, who made it possible for me to come to Congress. I loved him as a friend. I revere his memory.

No figure of the World War holds a position in Massachusetts comparable to that held by General Edwards. His broad understanding and sympathy for all with whom he came in contact, his outstanding capacity for leadership, his long, brilliant career in the service of the Nation won for him an undying place in the hearts of New England.

The passage of this resolution will do honor, not only to a great character, an outstanding figure of the World War, but to each and every man among the thousands privileged to serve under his command and to contribute to the unforgettable fighting record of the "Yankee Division." [Applause.]

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The Clerk read the joint resolution, as follows:

**House Joint Resolution 570**

*Resolved, etc.,* That the President of the United States is hereby authorized to award, posthumously, in the name of Congress, a Distinguished Service Medal to Maj. Gen. Clarence Ransom Edwards, who died February 14, 1931, after having organized the Twenty-sixth Division and commanded it with distinction during all but 18 days of its active service at the front. The high qualities of leadership and unfailing devotion to duty displayed by him were responsible for the marked esprit and morale of his command. To his marked tactical ability and energy are largely due the

brilliant successes achieved by the Twenty-sixth National Guard Division during its operations against the enemy from February 4, 1918, to November 11, 1918.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

**LEAVE TO ADDRESS THE HOUSE**

Mr. CHRISTIANSON. Mr. Speaker, I ask unanimous consent that on Tuesday next, immediately after the reading of the Journal and the disposition of business on the Speaker's desk, I be permitted to address the House for 10 minutes.

The SPEAKER. Is there objection?

There was no objection.

**EXTENSION OF REMARKS**

Mr. LEWIS of Colorado. Mr. Speaker, I ask unanimous consent to print after my remarks today the report of the board of Air Corps officers on the city of Denver.

The SPEAKER. Is there objection?

There was no objection.

"PLAIN TALK", BY STUDEBAKER, COMMISSIONER OF EDUCATION.

**A BOOK REVIEW**

Mr. MAVERICK. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

**PARALLELS IN HISTORY—"PLAIN TALK"**

Mr. MAVERICK. Mr. Speaker, there are parallels in history: At Valley Forge George Washington read an appeal from Tom Paine, that bolstered his wavering troops; today a book, Plain Talk, written by John W. Studebaker, United States Commissioner of Education, is printed at a similar period in American history, to bolster the teachers of today.

Washington was at Valley Forge. The soldiers were hungry and sullen. In modern parlance we would say that it was "zero weather"—but it was bitter cold; the men walked in the ice and the snow, leaving bloody tracks. They had not seen the sight of money for many a day and they were discouraged.

Congress in Philadelphia paid no attention to the Army in its death struggle. No aid was sent in the form of supplies; no money—probably it could not get any money. George Washington was in desperation. Stories came to him of members of the Continental Congress attending parties—with Tories—in Philadelphia.

**"THESE ARE THE TIMES THAT TRY MEN'S SOULS"**

In the midst of all this there came to him Tom Paine's The American Crisis. It began with these stirring words: "These are the times that try men's souls. The summer soldier and the sunshine patriot will, in this crisis, shrink from the service of their country \* \* \*."

And there came out more flashing, burning, fighting words which brought life to the soldiers' hearts and minds. The shivering soldiers cheered, and the Revolution went on until freedom was won.

All over the Thirteen Colonies Tom Paine's writings were read. Every little settlement or hamlet read his words, and these words, describing the situation, and showing the rights to which the people were entitled, kept the fires of liberty burning. It brought encouragement to the people.

"These are the times that try men's souls"—today, too, we must face a fight which many regard as harder than the Revolution. We now face distortion of the truth, plain misrepresentation, lies about our ancestors, falsehoods concerning our Constitution—propaganda of all sorts from reactionary elements, to make us betray, as Benedict Arnold did, the cause of justice and freedom of our own people.

**FREEDOM AND PROPAGANDA—LIBERTY AND DISHONEST ADVERTISING**

Plain Talk is a book which distinguishes freedom of thought from propaganda, liberty of speech from dishonest advertising, and tells teachers—and by teachers I mean anyone who tries to teach by giving impartial facts, or anyone who wants to learn by receiving facts impartially—of their rights under the law and of common sense. It goes further, and indicates the teacher has a duty to teach.



## THE BILL OF RIGHTS

Let me again mention the Revolution. After it came the Constitution. Selfish men would have put over a mere contract for the preservation of property, omitting entirely any semblance of the Bill of Rights. But the influence of Tom Paine, Thomas Jefferson, and the other great men of that day was so strong that a Bill of Rights was written into the fundamental law of the Constitution. The American people were not to be deprived of freedom of religion, speech, assembly, and press.

Today these rights are as fundamental and as necessary as they were 160 years ago. We have had 6 years of depression and continued unemployment, and we are faced with a new American crisis. In Tom Paine's day there was scarcity and a reason for it. Today we have starvation in the midst of plenty and no reason—or at least no excuse—for it.

So there's one thing at least that we ought to have, and that is freedom of discussion. This is not only reaffirmed by Mr. Studebaker in Plain Talk but it is demanded, and a wise method of adult education and adult forums is proposed.

## COMMUNISM AND FASCISM; RAINBOW ROADS

If we do not follow the road of the American Bill of Rights and the democratic processes, then we destroy our democracy. And right now, the American people are facing several different roads. Two of them look good to some, but at the end of each is a mirage or rainbow.

One of these is fascism, or what would in this country develop into military gangsterism; the other is communism. Both of these call for dictatorship and are opposed to American ideals of government. Neither of these roads is satisfactory.

## THE MIDDLE ROAD—DEMOCRACY—EDUCATION—LIBERTY

There is still another road, the road that we have traveled before, and that's the road of democracy, or what we might call the "middle road." It's a rough and rocky road, this parliamentary government—but it has always been found to suit people who love free government better.

However rocky and rough the road, it has by its side free schools and places where Americans may congregate and worship their God freely—where people may criticize each other and the Government, and where they may pray, print, and publish what they please. And until just recently it was not a crime for Americans to teach freely.

Democracy is doomed—that's the bunk. We can preserve it if we want to. Other countries which gave up what little democracy they had did so willingly. Some say we must give it up on account of conditions. Some say because of unemployment; others just have the jitters and would go out slaying imaginary Communists and radicals, and I presume others would go shooting Fascists who do not exist.

## A BARBAROUS LAW WHICH INSULTS KNOWLEDGE

In the United States today there are such organizations as the American Liberty League, which have no other purpose than to abridge the fundamental rights vouchsafed to every American in the Constitution. Laws have been adopted to curb freedom of speech and freedom of teaching in the States.

In the District of Columbia there exists a law known as the "red rider", one of the most uncivilized and barbarous laws every passed in the history of any government. This "red rider" has no parallel in the entire world's history and no such law has ever existed or exists now, except in the District of Columbia—that is, where one first takes an oath of allegiance and then must be constantly humiliated week after week and month after month by being forced to take additional oaths.

## PLAIN TALK—GIVES BACKBONE TO TEACHERS

In view of all this, it is fortunate that a book should be published like Plain Talk. I got a copy and the price intrigued me. I wondered how one could be sold so cheaply. I had not read very much before I said, "Every teacher in this country ought to have a copy." Teachers are a timid lot—and why not? They have been banged over the head by

every special interest, every fanatic, every witch burner, every enemy of democracy, every braying ignoramus, for years and years. They have lost their jobs for telling the truth; they have been bamboozled and persecuted to the limit.

## TELLS HOW TO MEET THE SITUATION

The book has a splendid introduction by Morse Cartwright, Director of the American Association for Adult Education. Mr. Cartwright tells us that the author, John W. Studebaker, is not only United States Commissioner of Education, but the outstanding advocate of public discussion in the country. He points out that our ideals of democracy were of Anglo-Saxon origin and "were transferred through fire and sword" to our Revolutionary Government.

He reminds us that there were two documents, not one: the Declaration of Independence as well as the Constitution of the United States, and that the former came into American history bringing a new conception of liberty to the young nation and to a none-too-hopeful world; and he further reminds us that the Bill of Rights is as much a part of the Constitution as its other parts.

## NATIONAL HOME LIBRARY FOUNDATION

One hundred thousand copies of this book have been made available by the National Home Library Foundation in Washington. This organization, like the American Association for Adult Education, is a cooperative, and non-profit-making undertaking. It has, in the past 4 years, published and distributed, without any thought of profit, nearly 5 million good books at a price within the reach of everyone. Plain Talk, like most of the other millions of books published, costs a quarter, but is a full fledged, A-1, well-bound book, and not a loosely bound, paper-covered affair. The program and policies of the foundation are carried out by a group of 66 of the most distinguished authors, educators, historians, and scientists living today. Its president and editor is Sherman Mittell. He is an idealist who has refused persistently during the 4 years he has guided the foundation's home-library program, to accept a salary higher than \$25 per week. But, with his idealism, he has combined a talent for organizing the best minds of America to work toward a common goal—a better informed and more civilized nation.

Plain Talk has been hailed by the National Education Association as the new bill of rights—the American teachers' bill of rights. It ought not to be necessary in a free country to have to print any such book, but at this stage of our national history it becomes more and more necessary to have such a book in every teacher's or other person's hands who cares anything for liberty.

## NATIONAL EDUCATION ASSOCIATION PRAISES

In this month's issue of the Journal of the National Education Association, reaching over 250,000 American teachers, there is an editorial which deserves quotation.

It says:

A century ago Horace Mann labored for universal free schools so ably that he has been called the founder of our American system of public education. He and his followers have made elementary schooling universal and secondary schooling nearly so. But that is not enough under the conditions of today to save democracy from confusion and disintegration.

Now comes a new prophet with vision to sense democracy's present need, with the gift of expression, with a genius for organization, and the courage of action which we have long associated with Horace Mann. It is the highest good fortune that this new leader, John W. Studebaker, is United States Commissioner of Education. It would be hard to overestimate the significance of his sustained championship of universal, tax-supported education of adults in the pressing problems of democracy.

This book is especially valuable for summer-school classes, for high schools and colleges, for parent-teacher associations, and for reading groups of every kind in home, school, church, and community.

Every citizen should have an opportunity to study this book.

Notice it says every citizen should read this book. In this I agree—for all persons should know their rights.

## MILLION TEACHERS POTENT POLITICAL INFLUENCE

It is good indeed for the American teachers that there is an outstanding champion of academic freedom and that



he is placed as Commissioner of Education for the whole United States of America. This is a high office. And from this high office he strikes out with his book, *Plain Talk*, in a simple way, with hard rights and lefts, and pulls no punches. He is speaking for over a million American teachers who are rising now for their right to teach and to impart knowledge; to maintain their self-respect, and to really earn their money as giving learning to the children of America.

These teachers are one of the most potent political influences in America, and it is well that the Commissioner of Education comes clean, asserting their rights, telling them that such words as "liberty" can be distorted for sinister ends—explaining what liberty is.

This book shows that liberty is not an empty phrase. It is something precious, something active, and Studebaker realizes that in this complicated industrial civilization, more than ever we must maintain our democratic liberties because if man is to become not even a machine but a mere slave of a machine, life will not be worth living.

#### ROBE THEMSELVES IN NATIONAL COLORS

Dr. Studebaker knows every American teacher and parent ought to realize that the forces of privilege and those who robe themselves in national colors are making every effort to get control of the public-school system. This has been exposed a half-dozen times by numerous bodies and by the Federal Trade Commission in official investigations and reports. And this is true whether they control powerful chains of newspapers or vast monopolies.

These special interests attempt to distort other freedoms with some sort of misleading, snappy phraseology or labels or mottoes. People should be wary of all this word twisting and false propaganda. "Red riders" and teachers' oath laws fool nobody. They are sponsored for no other reason than to bully the teaching profession.

Remembering some of the goings-on in Germany and Italy, and the destruction of the teaching profession and the labor movement there, a child can see what they are after. And it is a pleasure to read *Plain Talk* and find in it American definitions of what American liberties ought to mean.

#### WHAT IS FREEDOM, AND WHO GETS IT?

In Dr. Studebaker's own words, we get an inkling of that meaning:

Freedom to the music lover is the opportunity to hear music. It doesn't satisfy him to be told he is free to hear lectures. That isn't freedom to him. He may not like to hear lectures. Freedom to the hungry is the chance to get bread. To point out to the man in search of a next meal that he lives in a free country where he may say anything he likes doesn't ordinarily make him feel free. If he can't use his right of free speech to get what he desperately wants, that right simply doesn't spell freedom to him.

Again—

One thing is certain, and that is, that democracy belongs to the people who can make it work. We have a right to expect public education to provide for the social intelligence necessary to make democracy work in our complicated age.

He asks a pregnant question:

How can we plan to make public education serve as a genuine bulwark of democracy?

His answer:

Let us keep clearly in mind the fact that the greatest enemy of democratic government is civic ignorance. Those who propose overthrowing democracy for some form of dictatorship are powerless to gain adherents if democracy is working reasonably well in its original function, "the pursuit of life, liberty, and happiness", for the mass of citizens. We deceive ourselves if we try to defend democracy by gagging its critics, as much as we deluded ourselves when we thought we could extend democracy by a World War.

#### KNOWLEDGE; SOIL CONSERVATION

Speaking of necessity of public discussion in reference to any subject, he says:

Take for example, in this connection, our modern problem of agriculture. Land is a means to the end of growing things by which process the farmer makes his living. Ignorance and apathy concerning soil conservation have brought us to the lamentable state where the forces of wind and water are carrying many of our farms away. We now rush to diffuse understanding of how

to protect and preserve that precious top soil. It is a job for public education, and this year a great campaign of education on soil conservation is being planned, using more than 5,000 rural high schools as centers for instruction.

#### THE GAG KILLS DEMOCRACY

Concerning the gag, Mr. Studebaker says:

What may happen if we fail to do these two things? Will our democracy be overthrown? I think not. Overthrow is not the right word. Disintegration is more likely to set in, or we might say more properly that democracy will commit suicide.

If we neglect our line of defense, and permit freedom of expression to be curbed, even by majority consent, we no longer have democracy. We have a form of autocracy. Political power is no longer in the hands of the people, but rather in the hands of the officials who happen to be in office when civil liberties are curtailed. They may or may not use their power over the civil rights of the people to protect themselves and their policies from criticism and to perpetuate themselves in office.

Nevertheless, practically speaking, democracy does not and cannot exist where the rights of free speech, free press, and free assembly are gone. By suppressing minorities and gagging discussion we determine that if such minorities have sufficient vitality to enlist large numbers of people their only recourse is violence.

When the mass of the people no longer hold the power to accept or reject minority proposals at the polls, we cannot know when a minority becomes a majority on any issue. In America we have no supreme authority which decides what is good for the people. When such an authority is established, we have dictatorship. Our faith is plainly rested upon the assumption that the people can be trusted to decide what is good for them, and must be left free to choose what they consider good from among the alternatives open to them. If anybody argues that the people cannot be trusted to decide for themselves, he questions the very foundation of democracy itself.

Again:

World-wide economic depression has challenged all democracy with crises. No democracy can long entertain such a breakdown in the social and economic life of the people. If democracy fails to solve the problems of unemployment, poverty, and distress, it cannot survive.

#### BRANDEIS—MASTER FIGHTER, MASTER BUILDER

Mr. Justice Brandeis is a great American and concerns this story. He has not always been "Mr. Justice." As a young man he was not only a master fighter for human rights but a master builder for human life. He exposed the insurance racket in Massachusetts; he was the father of the savings, loan, and insurance laws of the State of Massachusetts wherein families can protect themselves cheaply and safely. His achievements long before he became a Justice were substantially for the whole American people. On the Court he has not become an ossified automaton who has lost contact with the heart and soul of America.

It is important for teachers, students, citizens of all kinds to know this: that they have a friend in court. He is a man old in the concept of maturity and wisdom, but youthful and joyous of heart insofar as his ideas concern progress and human liberty. He is a man who quietly lashes himself to the mast of a ship in a roaring sea and quietly writes down on a piece of paper the truth and the thunder of his soul.

#### THINK AS YOU WILL—SPEAK AS YOU THINK

The jacket of *Plain Talk* quotes Mr. Justice Brandeis on his opinion in *Whitney* against California. He said in that opinion:

Those who won our independence believed that the final end of the State was to make men free to develop their faculties, and that in its government the deliberative forces should prevail over the arbitrary. They valued liberty both as an end and as a means. They believed liberty to be the secret of happiness and courage to be the secret of liberty. They believed that freedom to think as you will and to speak as you think are means indispensable to the discovery and spread of political truth; that without free speech and assembly discussion would be futile; that with them discussion affords ordinarily adequate protection against the dissemination of noxious doctrine; that the greatest menace to freedom is an inert people; that public discussion is a political duty; and that this should be a fundamental principle of the American Government.

#### REPRESSION BREEDS HATE—HATE MENACES STABLE GOVERNMENT

They recognized the risks to which all human institutions are subject. But they knew that order cannot be secured merely through fear of punishment for its infraction; that it is hazardous to discourage thought, hope, and imagination; that fear breeds repression; that repression breeds hate; that hate menaces stable government; that the path of safety lies in the opportunity to discuss freely supposed grievances and proposed remedies; and that the fitting remedy for evil counsels is good ones.



Believing in the power of reason as applied through public discussion, they eschewed silence coerced by law—the argument of force in its worst form. Recognizing the occasional tyrannies of governing majorities, they amended the Constitution so that free speech and assembly should be guaranteed.

#### FOREFATHERS DID NOT FEAR POLITICAL CHANGE

Those who won our independence by revolution were not cowards. They did not fear political change. They did not exalt order at the cost of liberty. To courageous, self-reliant men, with confidence in the power of free and fearless reasoning applied through the processes of popular government, no danger flowing from speech can be deemed clear and present, unless the incidence of the evil apprehended is so imminent that it may befall before there is opportunity for full discussion.

#### REMEDY FOR FALSEHOODS AND FALLACIES—MORE SPEECH

If there be time to expose through discussion the falsehood and fallacies, to avert the evil by the processes of education, the remedy to be applied is more speech, not enforced silence. Only an emergency can justify repression. Such must be the rule if authority is to be reconciled with freedom. Such, in my opinion, is the command of the Constitution. It is therefore always open to Americans to challenge a law abridging free speech and assembly by showing that there was no emergency justifying it.—Justice Brandeis, in concurring opinion, *Whitney v. California*, 1927.

#### DEMOCRACY—THAT'S WHAT WE WANT

The American people, our teachers, our thinkers, must stand up and claim and demand perfectly obvious rights. We cannot solve any of our problems except by constant and patient search and discussion, as Mr. Studebaker says in Plain Talk. Our problems are so vast that there is no one man nor group of men who can give us an answer, and hence we do not want an oligarchy of selfish men like the Liberty League nor any one man to rule us.

It is true that there have been more inroads on freedom of speech and upon the human mind than ever before, but we still know that the American people should solve their own problems, and this can only be done by the full freedom of thought and discussion.

**SPANISH WAR VETERANS' LEGISLATION—\$10,000 FOR EVERY SPANISH WAR VETERAN DEATH CAUSED BY ECONOMY ACT—\$102,000,000 TAKEN FROM SPANISH WAR VETERANS BY ECONOMY ACT MUST BE REFUNDED**

Mr. LUNDEEN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

Mr. LUNDEEN. Mr. Speaker, I am introducing a bill, H. R. 12918, to provide indemnity benefits of \$10,000 to dependents of veterans of the Spanish-American War whose death resulted from the so-called Economy Act of March 20, 1933.

There were 271,765 Spanish War veterans living on January 1, 1936; according to the Veterans' Administration, of these 177,533 were receiving pensions. Each month about 500 of our Spanish War comrades pass into the Great Beyond. In a few more years their number will compare with the approximately 10,300 Civil War veterans now on the pension rolls, who are dying at the rate of 300 a month.

No one knows how many deaths of Spanish War veterans were the result of the vicious, cruel, and inhuman so-called Economy Act of March 20, 1933. There is a record of 853 deaths from suicide among the group of 44,678 cases where pension is being paid by the Veterans' Administration to the dependents of deceased Spanish War veterans. Here is the Veterans' Administration estimate on the number of Spanish War veteran deaths from 1931 through 1935:

1931.....	4, 835
1932.....	5, 117
1933.....	5, 423
1934.....	6, 140
1935.....	6, 503

Total..... 28, 018

Congressman WILLIAM P. CONNERY on June 10, 1933, stated on the floor of the House that according to a Boston newspaper 12 Massachusetts veterans had committed suicide up to that time as a result of the Economy Act.

In addition to suicides caused by the Economy Act, there were deaths caused by worry over financial matters or lack of medical care. The Veterans' Administration does not have information available concerning these causes of death.

#### BILL TO REFUND PENSIONS TAKEN FROM SPANISH WAR VETERANS BY ECONOMY ACT

On August 15, 1935, 2 days after pre-Economy Act Spanish War pensions were restored, I introduced a bill (H. R. 9145) to provide for the refunding of all benefits to Spanish War veterans and their widows and dependents, of which they were deprived by the Economy Act between the dates of March 20, 1933, and August 13, 1935. During that period of time a total amount of \$101,912,194.47 was taken from Spanish War veterans and their dependents by the Economy Act. This amount, according to the Veterans' Administration, was divided between veterans and dependents in this way:

Spanish-American War veterans: \$246,380,893.92 would have been paid from March 1933 to July 1935, inclusive, had no Economy Act been passed; \$160,785,722.92 was actually paid from March 1933 to July 1935, inclusive; difference, \$85,595,171, amount taken from Spanish War veterans by Economy Act from March 1933 to July 1935, inclusive.

Spanish-American War dependents: \$42,480,343.23 would have been paid between March 1933 and July 1935, inclusive, had no Economy Act been passed; \$26,163,319.76 was actually paid between March 1933 and July 1935 inclusive; difference: \$16,317,023.47 taken from dependents by Economy Act.

The total amount taken from Spanish War comrades and their dependents, \$101,912,194.47, is about one-tenth of the amount appropriated for war and war preparations in this present year of peace.

Both these bills should be passed. H. R. 9145, to refund pensions taken from Spanish-American War veterans and their dependents while the Economy Act was in force, and H. R. 12918, the bill I am introducing, providing a \$10,000 indemnity for dependents of Spanish War veterans whose death is directly or indirectly the result of the Economy Act.

#### WHAT UNCLE SAM GAINED IN THE SPANISH-AMERICAN WAR

Any cost to the Government which will result from the passage of the Lundeen Spanish War veterans' indemnity bill is insignificant compared with the huge gains Uncle Sam made as a result of the war in which these men were willing to lay down their lives. As a result of the Spanish-American War, Spain lost Cuba, Puerto Rico, Guam, and the Philippines. The islands and possessions gained were among the richest in the world. The war cost the United States about a billion dollars. The value of the possessions we gained was more than thirty billion. The Spanish-American War put \$30 in Uncle Sam's pocket for every dollar spent.

#### WAS THE ECONOMY ACT CONSTITUTIONAL?

There is some doubt as to whether Congress constitutionally had the power to take from the veterans the pensions it had by previous legislation agreed to pay. The constitutionality of the act has never been tested. When Spanish War veterans were placed on the pension rolls it was their understanding that they had a lifetime contract with the United States Government. They incurred their own obligations accordingly. They budgeted their incomes. Many of them bought furniture and homes on the installment plan. They counted on the income that had years ago been promised them by the Federal Government, whose obligations are supposed to be kept.

In the case of *Perry v. United States* (no. 532, gold-clause cases, decided Feb. 18, 1935), Chief Justice Hughes stated:

By virtue of the power to borrow money "on the credit of the United States", the Congress is authorized to pledge that credit as an assurance of payment as stipulated, as the highest assurance the Government can give, its pledged faith. To say that the Congress may withdraw or ignore that pledge is to assume that the



Constitution contemplates a vain promise, a pledge having no other sanction than the pleasure and convenience of the pledgor. This Court has given no sanction to such a conception of the obligations of our Government.

The gold-clause cases decision just quoted also mentioned the binding quality of the obligations of the Government as presented in the *Sinking Fund* cases (99 U. S. 700, 718, 719), in which the question was whether certain action was warranted by a reservation to Congress of the right to amend the charter of a railroad company. Chief Justice Hughes, in referring to that case, stated:

While the particular action was sustained under the right of amendment, the Court took occasion to state emphatically the obligatory character of the contracts of the United States. The Court said: "The United States are as much bound by their contracts as are individuals. If they repudiate their obligations, it is as much repudiation, with all the wrong and reproach that term implies, as it would be if the repudiator had been a State or a municipality or a citizen."

When the United States, with constitutional authority, makes contracts, it has rights and incurs responsibilities similar to those of individuals who are parties to such instruments. There is no difference, said the Court in *United States v. Bank of the Metropolis* (15 Pet. 377, 392), except that the United States cannot be sued without its consent.

#### CONGRESS CANNOT ABOGATE WAR-RISK INSURANCE CONTRACTS

In *Lynch v. United States* (292 U. S. 571, 580), there was a question of attempted abrogation by the Economy Act, of outstanding war-risk insurance policies which were contracts of the United States. In this case, the Court also quoted the "sinking fund cases", stating:

Punctilious fulfillment of contractual obligations is essential to the maintenance of the credit of public as well as private debtors. No doubt there was in March 1933, great need of economy. In the administration of all Government business, economy had become urgent because of lessened revenues and the heavy obligations to be issued in the hope of relieving widespread distress. Congress was free to reduce gratuities deemed excessive. But Congress was without power to reduce expenditures by abrogating contractual obligations of the United States. To abrogate contracts in the attempt to lessen Government expenditure, would be not the practice of economy, but an act of repudiation.

#### OTHER SPANISH-AMERICAN WAR BILLS—BILLS TO REPEAL ECONOMY ACT

On May 2, 1933, during the Seventy-third Congress, I introduced H. R. 5393, the first bill to repeal the entire Economy Act. When the Seventy-fourth Congress opened on January 3, 1935, I again introduced the same bill, as H. R. 2825, to repeal the entire Economy Act, and the same day I introduced H. R. 2828 to repeal that part of the Economy Act affecting Spanish War veterans and their dependents. A similar bill, to repeal that part of the Economy Act affecting Spanish War veterans and their dependents, was introduced by Congressman MARTIN F. SMITH, of Washington, and became a law on August 13, 1935. This restored the rates of pension in effect before the passage of the Economy Act on March 20, 1933.

#### SPANISH WAR VETERANS SHOULD BE ON SAME BASIS AS CIVIL WAR VETERANS

Spanish-American War veterans are now approaching an average age of 62. Their number is being reduced at the rate of 500 per month. They should now be placed on the same basis as Civil War veterans during the declining years of their life. With this view in mind, I introduced in the Seventy-third Congress, and again the opening day of the present Seventy-fourth Congress, on January 3, 1935, a bill, H. R. 1404, to place Spanish War veterans on the same basis as Civil War veterans for pension purposes.

#### BRIEF SUMMARY OF LEGISLATION AFFECTING SPANISH-AMERICAN WAR VETERANS FROM MARCH 20, 1933, TO AUGUST 13, 1935

Since the passage of the act of August 13, 1935, restoring pensions, the old pre-Economy Act rates are again effective. The provisions of the Economy Act of March 20, 1933, and other economy legislation were administered by the Veterans' Administration. From time to time the President and the Administrator of Veterans' Affairs issued regulations and orders indicating how these laws were to be enforced. As a result of these administrative orders, the status of Spanish War veterans pensions, therefore, shifted slightly from time to time during the period March 20, 1933, until August 13, 1935.

However, during the period of March 1933 to August 13, 1935, Spanish War veterans' pensions passed through five different major stages:

#### FIRST STAGE—BEFORE ECONOMY ACT

Before the passage of the Economy Act of March 20, 1933, the old rates of pay were in effect. Until 1920 all Spanish War veterans who were drawing pensions had established service connection in accordance with the requirements of the old so-called general law. On June 5, 1920, the Spanish War service pension law was passed. Under this law there was no distinction between service-connected and non-service-connected disabilities. Any Spanish War veteran who applied could receive a pension for varying rates of disability or for age. The same applies for the laws of May 1, 1926, and June 2, 1930, which increased the rates of pension until the maximum of \$60 was reached for permanent and total disability, except in cases where the aid and attendance of another person was required, when a maximum of \$72 was allowed.

Thousands of Spanish War veterans dropped their claims of service connection under the old general law and applied for the more liberal pension granted under the later laws without regard to service connection. For that reason, prior to the Economy Act, out of about 195,000 Spanish War veterans on the pension rolls, only 600 were recorded as service connected. These 600 merely had neglected to apply for pensions under the new and more liberal law.

Prior to March 20, 1933, the great majority of Spanish War veterans receiving pensions for 90 days or more of service were paid on this scale:

#### For Spanish War veterans, on basis of disability—per month

10-percent disability.....	\$20
25-percent disability.....	25
50-percent disability.....	35
75-percent disability.....	50
100-percent disability.....	60
If aid and attendance of another person is needed.....	72

#### For Spanish War veterans, on age alone, regardless of disability—per month

Age 62.....	\$30
Age 68.....	40
Age 72.....	50
Age 75.....	60

Spanish War widows received \$30 per month, with \$6 for each dependent under the age of 16.

#### SECOND STAGE—ECONOMY ACT, MARCH 20, 1933

Under the Economy Act all Spanish War veterans whose disabilities were not shown to be service-connected, except those over the age of 62 and those who could prove permanent and total disability, were scheduled to be dropped from pension rolls.

The so-called presumptive clause, regulation 12 of the Executive orders under the Economy Act, recognized that Spanish War veterans would be at a decided disadvantage in proving their disabilities to be service connected. This clause stated that these men shall continue to receive a pension under the act at the rate being paid them on the date of enactment of the Economy Act—

It being presumed that the injury or disease causing the disability was incurred in the line of duty in the active military or naval service during . . . the Spanish-American War, including the Boxer Rebellion and the Philippine Insurrection.

The burden of proof was to be on the Veterans' Administration to show that the disability was not service connected, but in practice, at least in many cases, Spanish War veterans found the burden of proof on themselves. Little or no consideration was given to this presumption clause.

Under the Economy Act Spanish War veterans who could prove service connection were paid at the same rate as World War veterans whose cases were service connected. The difficulty for Spanish War veterans was that only a very small percentage could prove service connection 35 years after the war, and hundreds of them died before they had a chance to prove service connection. An amendment offered to the independent offices appropriation bill in June 1933 to



prevent reduction of Spanish War pensions more than 25 percent was defeated.

THIRD STAGE—\$15 PER MONTH ALLOWED FOR VETERANS IN NEED  
OVER 55

A slight modification of the Economy Act as it affected Spanish War veterans was made in the Independent Offices Appropriation Act passed in June 1933. This provision stated:

Notwithstanding any of the provisions of Public Law No. 2, Seventy-third Congress (the Economy Act), any veteran of the Spanish-American War, including the Boxer Rebellion and the Philippine Insurrection, who served 90 days or more, was honorably discharged from the service, is 55 years of age or over, is 50-percent disabled, and in need as defined by the President, shall be paid a pension of not less than \$15 per month.

This meant that Spanish War veterans who were over 55 years of age and 50-percent disabled could be sure of a \$15-a-month pension—if they could qualify under a need clause.

FOURTH STAGE—ACT OF MARCH 28, 1934—75-PERCENT RESTORATION

The act of March 28, 1934, provided that Spanish War pensions should be restored to 75 percent of the amount each veteran received prior to the passage of the Economy Act. This was a frank admission that the Economy Act, at least as it affected Spanish War veterans, was a failure. It had brought misery and despair to thousands of Spanish War veterans and their dependents, and public resentment was aroused. The act and all its regulations, as far as they affected Spanish War veterans, were repealed, and the old laws were made the basis for the act of March 28, 1934. This new act was in effect until August 13, 1935.

FIFTH STAGE—ACT OF AUGUST 13, 1935—FULL RESTORATION

The repeal of the Economy Act as it affected Spanish War veterans was completed by the act of August 13, 1935, which was the Smith bill, already mentioned. The Smith bill was a copy of the Lundeen bill, the first bill to repeal the Economy Act as it applied to Spanish War veterans. This act places back on the statute books all the Spanish War pension schedules in effect as of March 19, 1933.

Although we can never restore the lives that have been lost or erase the long months of anxiety and destitution thrust upon thousands of our comrades by economy hysteria in 1933, at least we can say the Economy Act as it affects Spanish War veterans is repealed. Those of us who fought against this vicious, cruel, and inhuman act from the first can truly say we have won a great victory.

LUNDEEN BILLS FOR SPANISH WAR VETERANS

In concluding my remarks I wish to say that during the present Congress I have introduced four bills for the benefit of Spanish War veterans:

First. A bill (H. R. 2828) to repeal the Economy Act as it affected Spanish War veterans. A bill similar to this became a law on August 13, 1935.

Second. A bill (H. R. 1404) to place Spanish War veterans on the same basis as Civil War veterans, paying pensions of \$75 to \$100.

Third. A bill (H. R. 9145) to refund to Spanish War veterans and their dependents the sums taken from them while the Economy Act was in force. This would mean \$85,595,171 to Spanish War veterans and \$16,317,023.47 to their dependents.

Fourth. A bill (H. R. 12918) to provide an indemnity of \$10,000 to dependents of Spanish War veterans whose death resulted from the vicious, cruel, and inhuman Economy Act.

I am a Spanish War veteran, having served in Company B, Twelfth Minnesota Volunteer Infantry. I will continue my efforts on behalf of my comrades as long as I have the honor to represent them in Congress.

TEXT OF LUNDEEN BILLS

Spanish War veterans' indemnity bill:

[H. R. 12918, House of Representatives, 74th Cong., 2d sess.]

A bill to provide indemnity benefits to dependents of veterans of the Spanish-American War who died as a result of the enforcement of the so-called Economy Act of March 20, 1933, and for other purposes

Be it enacted, etc., That the sum of \$10,000 shall be paid to the dependent of any deceased veteran of the Spanish-American War

(including the Philippine Insurrection and the Boxer Rebellion) who was entitled to benefits under the pension laws in force on March 19, 1933, and who died on or after March 20, 1933, and on or before August 31, 1935, if it appears to the satisfaction of the Indemnity Board provided for in section 2 of this act that the application in the case of such veteran of any of the provisions relating to veterans' benefits in the act entitled "An act to maintain the credit of the United States Government", approved March 20, 1933, or any act amendatory thereof or supplementary thereto, was a factor substantially contributing to his death. A dependent may receive the benefits of this act by an application claiming the benefits thereof filed with the Indemnity Board.

An application not filed on or before July 1, 1937, shall be void.

Sec. 2. (a) The President is authorized to appoint five members for an Indemnity Board, which shall have jurisdiction of applications under this act. The members of such board shall not be, or have been within 2 years prior to appointment, in the employ of the Veterans' Administration. They may be appointed without regard to the civil-service laws, and their compensation may be fixed without regard to the Classification Act of 1923, as amended. Such board shall determine, on all available evidence, the question whether the death of the veteran was caused in the manner specified in section 1 of this act, and shall in their decisions resolve all reasonable doubts in favor of the applicant. The decisions of any such board shall be final.

(b) For the purposes of this act such board or any member thereof is authorized to hold hearings, administer oaths, and require the attendance and testimony of witnesses or the production of books, papers, documents, or other evidence, or the taking of depositions before any designated individual competent to administer oaths.

(c) Such board may appoint and fix the compensation, subject to the civil-service laws and to the Classification Act of 1923, as amended, of such employees, and may make such expenditures, including expenditures for actual and necessary travel and subsistence expenses of members, employees, and witnesses (not exceeding \$7 for subsistence expense for any one person for any one calendar day), rent of quarters at the seat of Government and elsewhere, for personal services at the seat of Government and elsewhere, and for printing and binding, as are necessary for the efficient execution of its duties under this act. The expenses of the board shall be allowed and paid upon the presentation of itemized vouchers therefor approved by the chairman of the board.

(d) The board herein provided for shall cease to exist upon the completion of its duties under this act, and upon such completion all records, equipment, and property in its possession shall be transferred to the Veterans' Administration.

SEC. 3. (a) Upon final favorable decision upon any application made under this act the Indemnity Board shall certify such decision and transfer the records relating to the application to the Administrator of Veterans' Affairs. The Administrator shall cause the payments of benefits under this act to be made to the dependent of the veteran, and shall determine all questions arising under this act except the question referred to the Indemnity Board under sections 1 and 2 of this act. The Administrator shall not make any payments under this act to any person other than the eligible dependent, or such representative thereof, as the Administrator shall by regulation prescribe.

(b) No right to payment under this act shall be assignable or serve as security for any loan, and any assignment or loan made in violation of the provisions of this subsection shall be held void. No sum payable under this act shall be subject to attachment, levy, or seizure under any legal or equitable process, or to National or State taxation, and no deduction on account of any indebtedness of the veteran to the United States shall be made from any sum payable under this act.

SEC. 4. (a) Benefits under this act shall be paid to dependents of the veteran in the following order of preference:

(1) To the widow.

(2) If no widow entitled to payment, then to the children, share and share alike.

(3) If no widow or children entitled to payment, then to the mother.

(4) If no widow, children, or mother entitled to payment, then to the father.

(b) No payment under this act shall be made to a widow if she has remarried before making and filing application, or if at the time of the death of the veteran was living apart from him by reason of her own lawful act.

(c) Payment under this act shall be made to a child if under 18 years of age at the time of the death of the veteran.

(d) No payment under this act shall be made to a mother or father unless dependent at the time of the death of the veteran, or if at the time of the death of the veteran the mother was unmarried or over 60 years of age, or the father was over 60 years of age, such mother or father, respectively, shall be presumed to have been dependent.

SEC. 5. As used in this act—

(a) The term "dependent" means a widow, widower, child, father, or mother;

(b) The term "child" includes (1) a legitimate child; (2) a child legally adopted; (3) a stepchild, if a member of the veteran's household; (4) an illegitimate child, but, as to the father only, if acknowledged in writing signed by him, or if he has been judicially ordered or decreed to contribute to such child's support,



or has been judicially decreed to be the putative father of such child;

(c) The terms "father" and "mother" include stepfathers and stepmothers, fathers and mothers through adoption, and persons who have, for a period of not less than 1 year, stood in loco parentis to the veteran at any time prior to the beginning of his service; and

(d) The term "widow" includes widower.

SEC. 6. Whoever knowingly makes any false or fraudulent statement of a material fact in any application made under any provision of this act, or under any regulation made under this act, shall, upon conviction thereof, be fined not more than \$1,000, or imprisoned not more than 2 years, or both.

SEC. 7. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this act.

Bill to refund pensions taken from Spanish War veterans by the Economy Act:

[H. R. 9145, House of Representatives, 74th Cong., 1st sess.]

A bill to provide for the refunding of all benefits to Spanish-American War veterans and their widows and dependents of which they were deprived by the so-called Economy Acts for the period between March 20, 1933, and August 13, 1935

Be it enacted, etc., That the act entitled "An act granting pensions to veterans of the Spanish-American War, including the Boxer Rebellion and the Philippine Insurrection, their widows and dependents, and for other purposes", approved August 13, 1935, shall take effect retroactively as of March 20, 1933. All awards and grants of benefits in force on March 19, 1933, under the laws reenacted by such act of August 13, 1935, shall be in full force and effect from March 20, 1933, unless hereafter modified or repealed pursuant to such laws, except in cases where the right to payment under such laws has ceased by reason of the happening of a contingency referred to in such laws. Subject to the same exceptions, benefits accruing under such awards and grants for the period between March 20, 1933, and August 13, 1935, shall be paid without application, after deduction of any like benefits received under pension laws in force during such period.

In the case of any person in receipt of benefits under any of the acts repealed by such act of August 13, 1935, such benefits shall not be reduced or discontinued by reason of the enactment of such act of August 13, 1935.

SEC. 2. Any claim for benefits under the laws reenacted by such act of August 13, 1935, pending on March 19, 1933, may be considered and determined under such laws without any renewal of such claim by the applicant, and any claim for benefits under any act or part of an act repealed by such act of August 13, 1935, pending on August 12, 1935, may be considered and determined as a claim for benefits under the laws reenacted by such act of August 13, 1935. In case of any such claim the applicant shall be afforded an opportunity to present supplementary evidence and to have a new physical examination before his claim is determined, and shall be given notice of such opportunity. Benefits awarded under any such claim shall begin to accrue on the date of filing such claim.

Bill to place Spanish War veterans on same basis as Civil War veterans:

[H. R. 1404, House of Representatives, 74th Cong., 1st sess.]

A bill granting pensions and increases of pensions to certain soldiers, sailors, and nurses of the War with Spain, the Philippine Insurrection, and the China Relief Expedition, and their widows and dependents, and for other purposes

Be it enacted, etc., That all persons who served 90 days or more in the military or naval service of the United States during the War with Spain, the Philippine Insurrection, or the China Relief Expedition, between April 21, 1898, and July 4, 1902, and who have been honorably discharged therefrom, or who, having served less than 90 days, were discharged for disease or disability incurred in the service and in line of duty, shall be entitled to, and shall be paid, a pension at the rate of \$75 per month: *Provided*, That any person who served 90 days or more in the military or naval service of the United States during the War with Spain, the Philippine Insurrection, or the China Relief Expedition between April 21, 1898, and July 4, 1902, and has been honorably discharged therefrom, or having served less than 90 days was discharged for a disease or disability contracted in the service and in the line of duty, and who is now or hereafter may become by reason of age, physical or mental disability, helpless or blind, or so nearly helpless or blind, as to require the regular aid and attendance of another person, shall be entitled to and shall be paid a pension at the rate of \$100 per month.

SEC. 2. The widow of any officer or enlisted man who served 90 days or more in the military or naval service of the United States during the War with Spain, the Philippine Insurrection, or the China Relief Expedition, between April 21, 1898, and July 4, 1902, inclusive (service to be computed from the date of enlistment to date of discharge, and all leaves of absence and furloughs under General Orders, No. 130, August 29, 1898, War Department, to be included in determining the period of pensionable service), and was honorably discharged from such service, or, regardless of length of service, was discharged for, or died in service of, a disease or disability incurred in the service in line of duty (such widow having married such soldier, sailor, or marine prior to Sept. 1, 1922), shall, upon due proof of her husband's death, without proving his death

to be the result of his service, be placed upon the pension roll at the rate of \$30 per month during her widowhood: *Provided*, That a widow who is now, or may hereafter reach the age of 70 years shall be entitled to and shall be paid a pension at the rate of \$40 per month: *Provided further*, That the widow or remarried widow of any person who served 90 days or more in the military or naval service of the United States during the War with Spain, the Philippine Insurrection, or the China Relief Expedition between April 21, 1898, and July 4, 1902, and having been honorably discharged therefrom, or who having served less than 90 days was discharged for disease or disability incurred in the service and in line of duty (such widow or remarried widow having been the wife of such soldier, sailor, or marine during the period of his service in said wars) shall be entitled to and shall be paid a pension at the rate of \$50 per month.

SEC. 3. The provisions of the foregoing section shall apply to a former widow of any officer or enlisted man who rendered service as hereinbefore described and who was honorably discharged, or died in service due to disability or disease incurred in the service in line of duty (such widow having remarried either once or more after the death of the soldier, sailor, or marine) if it be shown that such subsequent or successive marriage or marriages has or have been dissolved, either by the death of the husband or husbands or by divorce on any ground except adultery on the part of the wife, and any such former widow shall be entitled to and be paid a pension at the rate of \$30 per month. Any such former widow or any widow mentioned in this section or the preceding section shall also be paid \$6 per month for each child under 16 years of age of such officer or enlisted man, and in case there be no widow or one not entitled to pension under any law granting additional pension to minor children, the minor children under 16 years of age of such officer or enlisted man shall be entitled to the pension herein provided for the widow, and in the event of the death or remarriage of the widow or forfeiture of the widow's title to pension, the pension shall continue from the date of such death, remarriage, or forfeiture to such child or children of such officer or enlisted man until the age of 16: *Provided*, That in case a minor child is insane, idiotic, or otherwise mentally or physically helpless the pension shall continue during the life of such child or during the period of such disability; and this proviso shall apply to all pensions heretofore granted or hereafter granted under this or any former statute: *Provided further*, That when a pension has been granted to an insane, idiotic, or otherwise helpless child, or to a child or children under the age of 16 years, a widow or former widow shall not be entitled to a pension under this act until the pension to such child or children terminates, unless such child or children be a member or members of her family and cared for by her; and upon the granting of pension to such widow or former widow payment of pension to such child or children shall cease, and this proviso shall apply to all claims arising under this or any other act.

SEC. 4. The pension or increased rate of pension provided for in this act shall commence from the date of filing application therefor in the Veterans' Administration after the approval of this act, in such form as may be prescribed by the Administrator of Veterans' Affairs provided they are entitled to a pension under the provisions of this act, and the issue of a check in payment of a pension for which the execution and submission of a voucher was not required shall constitute payment in the event of the death of the pensioner on or after the last day of the period covered by such check, and it shall not be canceled, but shall become an asset of the estate of the deceased pensioner.

SEC. 5. Nothing contained in this act shall be held to affect or diminish the additional pension to those on the roll designated as the "Army and Navy Medal of Honor Roll", as provided by the act of April 27, 1916, but any pension or increase of pension herein provided for shall be in addition thereto, and no pension heretofore granted under any act, public or private, shall be reduced by anything in this act.

SEC. 6. No claim agent, attorney, or other person engaged in preparing, presenting, or prosecuting any claim under the provisions of this act shall, directly or indirectly, contract for, demand, receive, or retain any fee for such services in preparing, presenting, or prosecuting claims when claimant is already on the pension rolls under the act of May 1, 1926, or any other prior pensions acts: *Provided*, That no claim agent, attorney, or other persons engaged in preparing, presenting, or prosecuting any original pension claim for, demand, receive, or retain for such services in preparing, presenting, or prosecuting such original pension claim, a sum in excess of \$10, which sum shall be payable upon the order of the Administrator of Veterans' Affairs under such rules and regulations as he may deem proper to make; and no claim agent, attorney, or other person shall contract for, demand, receive, or retain a fee for services in preparing, presenting, or prosecuting claims for increase of pension under the provisions of this act; and any person who shall, directly or indirectly, or otherwise, contract for, demand, or retain a fee for services in preparing, presenting, or prosecuting any claim under this act, or shall wrongfully withhold from the pensioner or claimant the whole or any part of the pension allowed or due to such pensioner or claimant under this act, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall, for each and every offense, be fined not exceeding \$500 or be imprisoned not exceeding 1 year, or both, in the discretion of the court.

SEC. 7. That all acts and parts of acts in conflict with or inconsistent with the provisions of this act are hereby modified and amended only so far and to the extent as herein specifically provided and stated.



Bill to repeal Economy Act as it affected Spanish War veterans:

[H. R. 2828, House of Representatives, 74th Cong., 1st sess.]

A bill to restore benefits for veterans of the Spanish-American War, including the Boxer Rebellion and the Philippine Insurrection, and for other purposes

*Be it enacted, etc.,* That so much of title I of the act entitled "An act to maintain the credit of the United States Government", approved March 20, 1933, as amended, and of all acts or parts of acts amending or supplementing such act, as relates to veterans and widows and dependents of veterans of the Spanish-American War, including the Boxer Rebellion and the Philippine Insurrection, is hereby repealed.

SEC. 2. (a) All public laws granting medical or hospital treatment, domiciliary care, compensation, and other allowances, pensions, or retirement pay to veterans and the dependents of veterans of the Spanish-American War, including the Boxer Rebellion and the Philippine Insurrection, which were repealed by section 17 of title I of such act of March 20, 1933, are hereby reenacted to read as such laws read on March 19, 1933, with the same force and effect as such laws had on such date with respect to veterans of the Spanish-American War, including the Boxer Rebellion and the Philippine Insurrection.

(b) All awards and grants of monetary benefits in force on March 19, 1933, under the laws reenacted by this section, shall be in full force and effect from the effective date of this act until modified or revoked pursuant to such laws, except in cases where the right to payment under such laws has ceased by reason of the happening of a contingency referred to in such laws.

(c) All claims for benefits under the laws reenacted by this section pending on March 19, 1933, may be considered and determined under such laws without any renewal of any such claim by the applicant, but such applicant shall be afforded an opportunity to present supplementary evidence and to have a new physical examination before his claim is determined, and shall be given notice of such opportunity. Benefits awarded under any claim pending on, or filed after, the date of enactment of this act shall begin to accrue on the effective date of this act, or the date of the filing of the claim, whichever is the later date.

SEC. 3. This act shall take effect on the first day of the calendar month next following the month during which this act is enacted.

Bill to repeal entire Economy Act:

[H. R. 2825, House of Representatives, 74th Cong., 1st sess.]

A bill to repeal Economy Act approved March 20, 1933, and for other purposes

*Be it enacted, etc.,* That such provisions of the act entitled "An act to maintain the credit of the United States Government", approved March 20, 1933 (otherwise known as the "Economy Act", which repeals all public laws granting medical or hospital treatment, domiciliary care, compensation, and other allowances, pension, disability allowance, or retirement pay to veterans and the dependents of veterans of the Spanish-American War, including the Boxer Rebellion and the Philippine Insurrection, and the World War, or to former members of the military or naval service, except so far as they relate to persons who served prior to the Spanish-American War and to the dependents of such persons, and the retirement of officers and enlisted men of the Regular Army, Navy, Marine Corps, or Coast Guard, which gives to the President of the United States the power to issue regulations under which certain classes of persons may be paid a pension, and under which the salaries of Federal employees have been reduced as much as 15 percent) and of all acts or parts of acts amending or supplementing such act, as have not heretofore been repealed, are hereby repealed, and all laws or provisions of law amended or repealed by such act of March 20, 1933, or by such amendatory or supplementary acts or parts of acts, not heretofore reenacted, are hereby reenacted to read as such laws or provisions of law read prior to March 20, 1933.

SEC. 2. This act shall take effect on the first day of the first calendar month following the month in which this act is enacted.

#### DR. TOWNSEND AND THE TOWNSEND MOVEMENT

Mr. BURDICK. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

Mr. BURDICK. Mr. Speaker, when the Bell resolution to investigate the Townsend old-age-pension organization came before the House, I was one of the three who voted against it by a standing vote. I did that for the reason that I did not believe the Congress should spend \$50,000 to investigate this poor people's organization, when the Members of Congress were aware of the direct expenditure of funds here in Washington to stop the will of the people.

I refer to the fact that the power companies last year spent something over \$3,000,000 to prevent the passage of the holding-company bill. This sum was not spent in organizing a

movement, but for the direct and specific purpose of unlawfully preventing legislation which the people demanded. A committee was set up in the House to investigate this matter, but nothing has been done, and I can confidently predict nothing will be done.

Dr. Townsend and his associates have spent no money to prevent legislation which the people demanded. They have spent a large sum of money in organizing a national movement to secure legislation that millions of people want. The money came from the people, and it is reported in the news items that something like \$1,000,000 has been contributed. That seems to be the sin that has been committed by Dr. Townsend—that he collected a million dollars from poor people. The next sin, according to the newspaper accounts, is that the people who contributed this money got nothing for it, and Dr. Townsend, therefore, must have gotten the money. Let us see what the facts are.

First, Dr. Townsend and Mr. R. E. Clements founded an idea of old-age pensions. It is immaterial where they got the idea—whether they originated it themselves or whether they borrowed it from somebody else. The fact remains they put out the idea in a way which got the attention of the people.

The one thing about the Townsend plan which gave it such tremendous momentum was the fact that it placed the responsibility for the protection of the aged on the Federal Government. Under the plan, the aged, wherever they are in the United States, are eligible to receive benefits. Under any other plan the aged must establish a "legal residence" in some locality. They cannot move—they must remain glued to the spot if they are to be eligible for pension benefits.

Again, under other plans, and under the Social Security Act, the aged cannot qualify unless they can prove they are paupers and have neither relatives nor friends able to support them.

In other words, the Townsend plan put the plan of old-age security on a high, dignified, and honorable plane and removed it from the standard of a shameful, groveling, and abject begging position.

Second. While at the head of it, Dr. Townsend and his associates built a great organization numbering many millions of people in every State of the Union. The building of this organization was of immense value to the aged people and others interested in the welfare of the aged. When it is said that this organization gave the people nothing back for their \$1,000,000, I say that statement is absolutely untrue. The fact that this organization exists and has existed for the past 2 years has been of real value to the people fighting for justice for the aged.

To unite 5,000,000 people in one movement by the membership method on an expense of \$1,000,000 is a most moderate cost. If there are 10,000,000 members, then the cost is still less. In any event, the leaders built the organization at a cost of not to exceed 25 cents per member. I have had experience in organizing the people of a State, and I found it could not be done for 50 cents per member if the organizers were to eat and sleep. Dr. Townsend says he has not over \$500 left in money and no property. I believe it. No man living could put over an organization such as the Townsend organization is for less than a million dollars. Whatever the people put in the organization spent, and that is what they should have done.

Some say that the Townsend organization as now organized has been of no value to the people who believe in old-age pensions. I desire to dispute that statement forcefully. Is there anyone in this country who can honestly say that the Townsend organization did not influence the passage of the only law to protect the aged we have on the statute books of the United States? I personally know, as a Member of Congress, that the Townsend movement did influence the passage of the social-security bill. The appeal was made that the social-security bill would prevent the passage of the Townsend plan. That argument was used in my own case. I refused to be swayed by it and voted against the social-security bill. I was sure it would turn out to be nothing but



a starvation dole, and that is just exactly what it has turned out to be in my State. There is no pension about it; it is a relief dole, and before an aged person can get any of the dole he is required to deed his property over to the commissioners in charge of the plan, no matter how little value the property has.

But even though the Social Security Act is a dole, it is better than what we ever had before. We must make the social-security bill more liberal—we must make it possible in this country for the aged to receive respectable pensions for the few years they have to live after reaching the age of 60 years. The one organization that will bring this about is not the power lobby, the Chamber of Commerce of the United States, the Liberty League, or the Democrats, or the Republicans—it will be the Townsend organization.

During both sessions of Congress the McGroarty bill has been before the House. It was sponsored by one of the finest men in public life today, Hon. JOHN STEVEN MCGROARTY, of California. His bill was the official Townsend bill, and I know how hard MCGROARTY has worked to get this bill before the House for debate. It cannot come up until 218 Members will sign a petition to bring it up.

This Townsend organization is larger now than Townsend ever was—he could not stop it if he wanted to, and he does not want to. Like the leaders in the past, he can be attacked, he can be belittled, he can even be persecuted, but the movement will go on. The more he is abused or persecuted, the more vitality the movement will show. The reason why this is true is because the cause he has fostered is right, it is just, and from this movement will finally come a law that will treat the aged of this country as they should be treated by a great Government that has long neglected one of its most important functions.

The money to build this great movement has come from the people—it has not been supplied by some slush-fund contributor who intends to corrupt Members of Congress. It has come from the people, and I am sure the contributors are proud of what they have been able to give. In return for their sacrifices they have built a great militant organization that has and will continue to build a public opinion so strong in this country in favor of adequate old-age pensions that some Congress in the not far-distant future will provide the remedy.

The organization may not have spent all of this money wisely in every particular; someone more versed in business might have done better. The fact remains, however, that they have built in this country the largest organization in our history on the least amount of money of any organization expense known so far. The best endorsement for Townsend is that today he has no money, no property. The people never have petitioned Congress to investigate the movement—they are satisfied, so I venture to say that Congress has little right to rush into the fray to determine who put in a dime and what was done with it.

There is one outstanding fact now well established, and that is that none of this \$1,000,000 was used unlawfully or corruptly to influence Members of Congress. Can that much be said for the power company? Again, I ask, why drop this power-lobby expenditure of \$3,000,000 to corrupt Congress, and start out with guns drawn to chase down the dimes Dr. Townsend used to build public opinion in favor of a just cause.

In my opinion, the sponsors of the present investigation were not as much concerned with the protection of those who contributed their dimes and nickels as they were in trying to prevent those dimes and nickels from being used against their reelection as Members of Congress.

Millions will be raised and poured into the coffers of the Republicans and the Democrats to carry on the coming campaign. Will Congress later appropriate \$50,000 to investigate who put in the money, whether it was wisely spent, whether some employee got too much salary, or whether the candidates for the Presidency rode in a new Buick or an old Lincoln automobile? Nothing like it will be undertaken.

Just plain old-fashioned horse sense should dictate that Congress has enough to do to attend to its own business and

let the people of this country have an organization of their own, financed by themselves and directed toward a worthy and justifiable end.

In closing this statement, let me say that if Dr. Townsend had not talked a third party, no investigation would have been undertaken. The old parties will stand for almost anything as long as a third party is not suggested. Both old parties know each other. When necessary they can sleep in the same bed and rest comfortably. Just as soon, however, as someone suggests a third party, then the permanency of the old parties is put in jeopardy, and they rush at their common enemy with a concerted attack. Their reign has been threatened—their right to rule over the destinies of the American people is questioned. They dread the loss of this power—their very political lives are at stake (so they believe), and their combined attack is savage and desperate.

There is one power, however, that neither of the old parties can withstand. They are powerless before it, and that is the power of public opinion. The Townsend movement is building public opinion and will express itself, no matter who desires or attempts to divert or destroy that opinion.

Finally, that public opinion will be so definitely fixed in this country that Congress will respond to it. When that day comes, the people's fight for a just pension system will end, but not until then. How long the Townsend movement will remain depends on how long it will take Congress to make up its mind to grant to the aged of this country just, honorable, and adequate security.

Congress is wasting its time and the taxpayers' money in trying to stamp out this movement by investigations. No amount of calumny heaped upon the head of Dr. Townsend will stop the movement—any such procedure would actually increase the people's zeal for the movement.

I may be mistaken in my forecast of the future, but I will venture to guess that the people are about to investigate Congress. If I am correct, then, as Members of Congress, we should remember the Golden Rule: "Do unto others as ye would others should do unto you."

#### CIVILIAN CONSERVATION CORPS

Mr. KENNEY. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

Mr. KENNEY. Mr. Speaker, it has been a source of gratification to me that I had the privilege of serving as a member of the committee which undertook successfully to extend the life of the Civilian Conservation Corps. Its benefits are noteworthy in my State and throughout the Nation. To its responsible head I wish to pay compliment in recognition of his able, effective direction of its activities. My colleagues in the House of Representatives and I with them appreciate the great achievement of the Director of Emergency Conservation Work, Robert Fechner.

In operation more than 3 years, the Civilian Conservation Corps program was created by an act of Congress approved March 31, 1933, and extended by the Emergency Relief Appropriation Act of 1935. The legislation was designed to relieve acute distress by supplying productive employment primarily to young men whose families were on public-relief rolls, to provide for the restoration and protection of our country's natural resources, and to aid in the stimulation of business recovery through supplying a market for large quantities of foodstuffs, clothing, heavy machinery, automotive equipment, and other supplies.

By Executive Order No. 6101, April 3, 1933, President Roosevelt established the office of Emergency Conservation Work and named Mr. Robert Fechner, of Boston, as director. In the order the President directed the War, Interior, Agriculture, and Labor Departments to assist the Director in carrying out the provisions of the act. To make the law effective, a Nation-wide chain of work camps was established in the forests, parks, and fields of the country. By July 1, 1933, camps had been established in every State. The camps have been limited to unmarried men between the ages of 17 and 28, to war vet-



erans who may be enrolled regardless of age or marital status, and to a limited number of experienced men living in the vicinity of each camp.

The Director of Emergency Conservation Work has throughout been responsible for the execution of the C. C. C. program. Four Government departments—Labor, War, Interior, and Agriculture—cooperate in its operation. The Director coordinates the functions performed by these departments through an advisory council composed of one representative from each department. These council members act as liaison officers between the Director and the cooperating departments.

During the time that the Civilian Conservation Corps has been functioning more than 1,600,000 persons have been given employment under the program. At present approximately 350,000 men are enrolled in the corps. These men are working out of 2,107 camps.

Enrolled men have benefited greatly in health and morale as a result of outdoor life, good food, regular hours, and steady work, which characterize the Civilian Conservation Corps program. Care of the health of the C. C. C. enrollees starts at the time of enrollment, as only those men are selected who can stand the work in the forests and who are free from contagious disease. When the enrollees are accepted they are sent at once to camps and are kept under careful medical supervision. Smallpox and typhoid vaccinations are given immediately.

A medical officer is assigned to each camp to look after the health of the young men. Not only does he take care of the sick and the injured, but he is responsible for the sanitation of the camp, the protection of the water supply, seeing that the men get proper food and bathing facilities, providing first-aid instructions, and giving lectures on personal hygiene and disease prevention.

The men are housed, for the most part, in barracks of either portable or permanent type. Sleeping quarters are carefully heated and ventilated in order to prevent the spread of communicable diseases, especially of the respiratory type. Besides the buildings constructed to shelter the enrollees, the camps have mess halls, recreation halls, and administrative buildings.

Veterinary officers are used to inspect meat and dairy products. These veterinarians inspect slaughterhouses, packing plants, dairy farms, and creameries to see that the food comes from the right kind of places. The food itself is inspected to see that it comes up to specifications and answers sanitary requirements.

The great majority of the enrollees leave the corps better equipped in every way to face the problems of modern life than before their service. Most of them have acquired new skills which open additional job opportunities.

The cash allotments of enrollees to dependent families have made it possible for many families to be entirely removed from public-relief rolls. Many other families have been materially assisted. The consensus of opinion is that the ultimate results of Emergency Conservation Work will prove of lasting value, not only to the men of the Civilian Conservation Corps but also to the entire Nation.

In my State of New Jersey there are now 36 Civilian Conservation Corps camps engaged in forest protection and improvement, park development, soil-conservation projects, and mosquito-control work. With an average of 162 enrolled men in a camp, a total of approximately 5,832 men will be working this summer on C. C. C. projects in New Jersey. About 4,000 additional New Jersey men will be located on C. C. C. projects in other States.

In the period from April 5, 1933, to April 1, 1936, fully 47,835 New Jersey citizens were given employment by the Civilian Conservation Corps. Of these, 43,043 were enrolled men. Nonenrolled personnel included those employed in supervisory, technical, clerical, professional, or similar capacities, or who were engaged in the construction and maintenance of camps or other skilled and unskilled labor. As of March 1, 1936, there were 10,176 New Jersey enrollees in the corps.

Total obligations for operations of the C. C. C. in New Jersey through March 20, 1936, approximated \$17,443,000. They were incurred for compensation to enrollees and supervisory employees and purchase of materials, supplies, shelter, foodstuffs, clothing equipment, transportation, and the like. Almost every type of industry has benefited through expenditures made by the Civilian Conservation Corps. Of the total amount of money earned by New Jersey enrollees, \$4,762,000 was sent home to dependents in the form of allotments. The basic cash allowance of each enrolled man in the corps is \$30 a month. All of the young men and many war veterans allotted and still allot from \$22 to \$25 of their monthly cash allowances to needy dependents. These allotments are mailed direct to the families of the boys by the War Department. Besides receiving cash allowances which permit them to contribute substantially to the support of their families, New Jersey enrollees are housed, fed, clothed, given medical care, and afforded recreational and educational opportunities.

Included in the 36 camps being operated in New Jersey are 12 in State forests, 3 in private forests, 7 on mosquito-control projects, 3 on soil-erosion prevention projects under the supervision of the Soil Conservation Service, 9 on State and National parks, and 2 on conservation projects on military reservations.

In the course of the past 3 years the C. C. C. have accomplished a great deal in the upbuilding of New Jersey's forest resources. Carried on by companies assigned to State and private forests this work has been supervised by the United States Forest Service in cooperation with the State conservation authorities. Large areas of New Jersey were originally covered with good pine forest, but they have been cut over year after year until the growth of pitch pine has become seriously impaired. However, there are still many reproductive trees in the area, and through the labors of the C. C. C., including collection of cones, planting, and extensive prevention measures against fires, the forests are being brought back into productivity. More than 5,000 acres have been planted with trees, and the C. C. C. has put in more than 10,000 man-days on nursery work growing seedlings for further reforestation. More than 7,000 tree seeds have been collected.

To increase the area accessible for fire control the C. C. C. has built a total of 279 miles of truck trails and 61 miles of foot trails. These also serve to provide access to many scenic and historic sites in the forests and parks for the benefit of the people of New Jersey. To further enhance the value of New Jersey's forests, timber-stand improvement work has been completed over an area of 25,922 acres. The C. C. C. has constructed 383 miles of firebreaks. These are lanes cut through forested areas to serve as barriers to halt the progress of spreading fires. Fire hazards have been cleared from 12,568 acres of woodland. Timber estimates have been made over an area of 11,780 acres, and enrollees have spent 10,220 man-days on tree-surgery activities.

New Jersey forests, like other forested areas in the East, are threatened with serious destruction caused by tree-insect pests and tree diseases. The C. C. C. men in New Jersey are conducting an intensive campaign against the ravages of the gypsy moth, the white pine blister rust, and the Dutch elm disease. White-pine blister rust and Dutch elm disease control operations have been carried on over 36,269 acres, and a total of 5,611 acres have been scouted for the eggs of the gypsy moth.

C. C. C. activities also include mosquito-control operations, which involved the digging of 14,360 lineal yards of ditches and the staking of 16,000 yards, carried on over an area of 11,427 acres. The camp at Teterboro, in my district, is performing a long-needed service in its efforts to eradicate the notorious New Jersey mosquito from the meadows of the Hackensack River. As a part of the work, salt and woodland marshes and stagnant, polluted pools are drained by a series of ditches. Such work has not impaired but has increased the value of such areas as wildlife breeding and feeding grounds.



A Civilian Conservation Corps company has been assigned to the development of the Morristown National Historical Park at Morristown. Activities of the C. C. C. in this area have been of wide scope, including work in forestry, archeology, landscaping, and guiding visitors. The park constitutes the site of the encampment of the Continental Armies in the Revolutionary War during the winters of 1777-79.

The Wick and Guerin houses, both eighteenth century dwellings associated with the Morristown encampment of the Continental Army, have been restored. Brigade encampment sites of the Continental Army have been suitably marked. Signs, made and erected by C. C. C. enrollees, show positions, composition of the brigades, names of commanding officers, and the time of encampment in the Jockey Hollow area of the park.

Dutch-elm disease control has been of prime importance in this area to prevent its spreading throughout the park and to adjacent areas. Removal of dead chestnuts has improved the appearance of the park and furnished material for cabins, fences, and picnic campfires.

Twelve C. C. C. camps have been engaged in work on State and local parks at one time or another during the past 3 years. This work is supervised by the National Park Service in cooperation with State and local park and conservation authorities. All of the New Jersey parks serve the metropolitan populations of New York, Philadelphia, or Camden. The work of the C. C. C. in New Jersey parks has consequently been of unusual value in affording greater use of these heretofore unplanned and undeveloped recreational facilities. This has been especially true of the camps in Bergen and Camden Counties.

An average of approximately 400 C. C. C. men have worked in the New Jersey section of the Palisades Interstate Park. In the lower portion of the park, which is a spot of natural beauty, the main work has been on the talus slope, which can be seen from the Hudson River. This slope has in some places been eroded by the elements and by the river tide. The lower area is being preserved for its recreational as well as its scenic value. It is in my congressional district, directly opposite New York City, and attracts a large number of visitors. The work in this park is now being continued by one company of 162 men.

Another 400 men were assigned to the development of High Point State Park, which is under the jurisdiction of the High Point Park Commission. This park covers an area of some 11,000 acres, for the most part a wooded section on the top of a ridge. A point of special interest in this area is the so-called cedar swamp, where grows, among other species, a variety of white cedar not usually seen in that part of the country. Prior to the establishment of the C. C. C. camps only a small area in the immediate vicinity of the point had been used for camping, bathing, and picnicking. This area has been greatly extended by the work of the two companies. About 10 to 12 miles of park roads have been built, and more is contemplated to make accessible other areas for recreation. All these operations are working toward a well-planned program, which not only opens this area to recreation but also preserves its natural character.

The boys have nearly finished one dam which will create a lake of some 20 acres, and another dam is under construction which will provide a lake of some 40 acres. These lakes will not only enhance the scenic value of the park but will serve as reservoirs in time of fire, and their banks will provide sites for camps. Development of picnic areas and special overlook points is also planned.

The company located in Parvin State Park near Vineland, an area of nearly 1,000 acres, is laying out interesting nature trails through the cedar swamps and other woods. In the past this park has been used chiefly for bathing, camping, and picnicking, in the vicinity of Parvin's mill pond. The C. C. C. boys have razed a group of unsightly buildings and have turned the site into a well-planned camping area. Plans

are afoot for developing the beach through building a new bathhouse and a group of utility buildings.

A small ravine at one side of the park, called the Thundergust, is being developed as a narrow half-mile lake to be utilized for campers and picnickers.

Another C. C. C. company is located in Voorhees State Park at High Bridge. This park, on the edge of the New Jersey highlands, is interesting mainly for its scenic values from park drives and picnicking areas. Considerable reforestation has been undertaken here.

An average of 400 men were assigned to the Cooper River and Great Egg Harbor parkways in Camden County during the past 3 years. One company is reclaiming the silt-filled Cooper River, which at one time was navigable as far as Haddonfield. The other company, which was doing similar work in the Great Egg Harbor stream, completed its general development program last summer and was withdrawn. These two parkways are part of a proposed parkway across New Jersey from Camden to Atlantic City.

Twin camps were established in the South Mountain Reservation at Orange to develop this reservation for general recreational use. Improvements under way include the construction of park roads, guard rails, and incidental shelters. One company was moved out of this park last month.

A total of 400 men is working in Union County in cooperation with the Union County Park Commission. One company is situated in Watchung Reservation and is doing work similar to that undertaken at South Mountain. The other is working along the Rahway River, reclaiming the silt-filled stream and developing recreational facilities along its course.

The character and location of the camps now in operation in New Jersey and for which my State is the richer in its resources are as follows:

Camp designation	Land ownership (National, State, or private)	County location	Post-office address
S-51	State	Sussex County	Branchville.
S-52	do.	Burlington County	New Lisbon.
S-53	do.	Cape May County	Woodbine.
S-54	do.	Passaic County	Butler.
S-55	do.	Burlington County	New Gretna.
S-56	do.	Atlantic County	Mays Landing.
S-59	do.	Burlington County	New Lisbon.
S-60	do.	do.	Chatsworth.
S-62	do.	Warren County	Hackettstown.
MC-63	Private	Cape May County	Tuckahoe.
MC-64	do.	Morris County	Morristown.
P-65	do.	do.	Danville.
P-66	do.	Passaic County	Hewitt.
P-67	do.	Somerset County	Raritan.
S-70	State	Passaic County	Oak Ridge.
S-71	do.	Sussex County	Branchville.
S-72	do.	Gloucester County	Glassboro.
MC-73	Private	Cape May County	Dias Creek.
MC-74	do.	Cumberland County	Cedarville.
MC-75	do.	Atlantic County	Fort Republic.
MC-76	do.	Ocean County	Manahawkin.
MC-79	do.	Bergen County	Hasbrook Heights.
SCS-1	do.	Hunterdon County	Clinton.
SCS-2	do.	Monmouth County	Freehold.
SCS-3	do.	Burlington County	Wrightstown.
NP-1	Morristown National Historical Park	Morris County	Municipal Building, Morristown.
SP-1	High Point State Park	Sussex County	Sussex, R. F. D.
SP-4	Parvin State Park	Salem County	Norma.
SP-5	Voorhees State Park	Hunterdon County	High Bridge.
SP-7	Essex State Park	Essex County	Orange.
SP-8	High Point State Park	Sussex County	Sussex, R. F. D.
SP-10	Camden State Park	Camden County	Haddonfield.
SP-12	Palisades State Park	Bergen County	Englewood.
SP-13	Rahway River Parkway	Union County	Cranford.
Army-2	Military Reservation	Burlington County	Camp Dix.
Army-3	do.	Monmouth County	Fort Hancock.

## SUMMARY

	Camps
State forest	12
Private forest	3
Mosquito control	7
Soil Conservation Service	3
National park	1
State park	8
Army	2
Total	36

Symbols: S, State forest; P, private forest; SCS, Soil Conservation Service; MC, mosquito control; NP, national park; SP, State park.



**AWARD POSTHUMOUSLY OF THE DISTINGUISHED SERVICE MEDAL TO THE LATE MAJ. GEN. CLARENCE R. EDWARDS**

Mr. CITRON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

Mr. CITRON. Mr. Speaker, from my State came many of the men who served in the Twenty-sixth Division under the leadership of a great general, the late Clarence R. Edwards. They will appreciate the award posthumously of a Distinguished Service Medal to the great leader of that division more so than even a personal award to themselves.

The Gold Star Mothers and the relatives and friends of the men in that division will also consider the passage of this resolution a deserving tribute to the man they learned to know and love in the years following the war. Clarence R. Edwards loved his men in the war and maintained an interest in their welfare after the armistice and up to the time of his death.

To all who came to know him, General Edwards was a great friend, loyal citizen, and trustworthy adviser. From the statements and letters to me of men who knew him on the battlefield or who made his acquaintanceship since the war, I know the devotion and respect which these men held for him during his life and which has increased since his death.

Our distinguished colleague from Massachusetts, Hon. WILLIAM P. CONNERY, is to be commended for sponsoring House Joint Resolution 570, making this award. The people of the State of Connecticut are proud of the record of the Twenty-sixth Division and its late war leader, whom we are honoring. As a Member at Large from that State, I can only, in my humble fashion, express their thanks for the thoughtfulness and sincerity of Mr. CONNERY for introducing and moving the passage of this resolution.

**THE FIFTH NATIONAL SCHOOL-SAFETY PATROL PARADE**

Mr. CHURCH. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD at this point.

The SPEAKER. Is there objection?

There was no objection.

Mr. CHURCH. Mr. Speaker, tomorrow the city of Washington will witness the fifth national school-safety patrol parade, under the auspices of the American Automobile Association. All of us recognize the important part that school patrols have played in the protection of the lives of the children of America.

Mr. Speaker, I think we should take this opportunity to commend the youth for their work, and it is our duty to encourage them by public recognition. We should commend those who sponsor the school patrol organizations, and an expression is due those who are responsible for the fifth national school safety patrol parade.

During the year 1935, 36,000 persons were killed by automobile accidents and 1,000,000 were injured. It is an appalling death rate, due in large part to negligence and nonenforcement of our motor vehicle laws. By safety education programs, proper law enforcement, and engineering efforts this death rate by automobile accidents can be appreciably reduced.

It is with a great deal of pride that I call attention to the fact that as a result of its educational, engineering, and law-enforcement programs my home town of Evanston, Ill., was recently awarded the 1935 title of "the safest city in the United States." A contest was conducted by the National Safety Council among 801 cities in the United States, and for the third time in 4 successive years the grand prize went to Evanston, which has a population of about 65,000.

Eight hundred and one cities reported to the National Safety Council on their accidents during 1935. Their reports showed that the national average of accidents was 18.1 per 100,000 population. The city of Evanston, however, last year had only 2.9 per 100,000 as an average.

Naturally I am proud of the city. It is the "safest city in the United States." I call attention to its record for safety, not only because of my just pride but because I think it clearly indicates what can be accomplished by civic pride on the part of the people and by a proper educational and law-enforcement program. It is indicative of how fundamentally important the fifth national school-safety patrol parade tomorrow in Washington is as a factor toward a reduction in accidental deaths. It is something in which all of us should take a real interest.

**STOP LYNCHING NOW**

Mr. FORD of California. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD at this point.

The SPEAKER. Is there objection?

There was no objection.

Mr. FORD of California. Mr. Speaker, as the sponsor of H. R. 2776, a bill to assure to persons within the jurisdiction of every State the equal protection of the laws and to punish the crime of lynching, I hope the Members of this House give my bill sincere and unbiased consideration. Similar bills have been before Congress many times, but either apathy, prejudice, or a question as to constitutionality has prevented passage.

Surely there is no Member of this House who will defend lynching. All agree that it is a disgrace to this Nation; that it puts to shame our sense of justice, of decency, of humanity. But many argue that efforts to abolish it must be left to the individual States. With this I totally disagree.

Lynching has long disgraced this Nation. The States have had the power to deal with it; to pass drastic laws to insure punishment to all having a part in any lynching, including those public officials who by their remissness, their cowardice, their criminal collusion with the mob, permit lynchings to occur. But nothing has been done. Lynching is unchecked.

On April 28 a Negro farmer by the name of Lint Shaw was shot to death at Colbert, Ga., by a mob of 40 men, 8 hours before he was to go on trial on a charge of attempted criminal assault. This man had been saved from a mob about 2 weeks before at Danielsville, Ga., when Superior Judge Berry I. Mosely single-handedly broke up the mob with a speech from the steps of the jail. The man was then rushed by a National Guard unit to Atlanta for safekeeping. After a week or 10 days he was returned to Danielsville for trial before the same judge who had saved him from the mob, but when the citizens heard of his presence in the jail they became menacing and he was moved to Royston, Ga., from which jail he was removed by the mob and lynched near Colbert.

Weak efforts had been made to save Shaw by moving him from one jail to another. But when brought back for trial he was taken by a mob from the jail at Royston, Ga., and lynched near Colbert. The State of Georgia proved itself unable to cope with the situation. If H. R. 2776 were made a law, the fear of quick and sure punishment would have prevented the cowardly mob from committing this abominable crime.

On April 29 Willie Kees, 19, was taken from the city marshal of Lepanto, Ark., and shot to death by a masked mob. Kees was said to have attempted an attack on a white woman April 18, but, curiously enough, at that time he was only warned to leave town. He returned on April 27, and the lynching was the result. He was arrested by the city marshal the morning of April 29 and was taken from that officer while the two were on the way to the jail.

On May 3 John Ruskin, a farm hand, was shot to death by a mob of 200 men at Pavo, Ga. He was charged with the slaying of a white man. He was not brought to trial; he was not heard on the charge; he was, instead, murdered by an infuriated mob.

I could recite instance after instance of mob violence. And in every case the facts are the same: The mob either



intimidates the local law-enforcement officers and takes the accused by force, or these local officers connive at the crime. And no punishment follows.

Most progressives have come to the conclusion that the power of the Federal Government must be used if this worst of all crimes is to be stamped out.

Do not be deceived by the cry of unconstitutionality. Eminent lawyers declare that this bill is constitutional. If we are to be estopped from this effort to stamp out lynching on the grounds that the Constitution will not permit it, then our guaranties of liberty, of trial by due process of law, of orderly government in the United States are lost.

I have no hesitancy in saying that the cry of unconstitutionality is being used right now to prevent the passage of progressive measures in the interest of the common people. It is a partisan move, and all liberals should unite to condemn it. The Constitution is a charter of liberties, subject to interpretation as new issues arise. It was not intended to remain unchanged. Without frequent amendments, this Nation would long ago have become disrupted. Without freely exercising the right to amend the Constitution, we would have had neither the thirteenth, fourteenth, or fifteenth amendments, which means that we would still have slavery in the United States.

In my opinion the danger to our liberties today comes not from passing measures that may later be declared unconstitutional but in refusing to press liberal and enlightened legislation on the specious and partisan cry that it is unconstitutional.

We must face the issue squarely. We must be bold enough to pass progressive measures, such as the antilynching bill, and to leave it to the Supreme Court to decide the moot question as to constitutionality. If the decision is adverse—and many of our best attorneys say it will not be adverse—we shall then face the issue of a constitutional amendment.

To raise the cry of unconstitutionality for partisan reasons is indefensible. Yet that is being done. I think no true lover of the Constitution, white or black, will be deceived by this specious outcry.

#### THE WORKS PROGRAM

Mr. MORAN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein an address by the W. P. A. administrator in the State of Maine.

The SPEAKER. Is there objection?

There was no objection.

Mr. MORAN. Mr. Speaker, under the leave to extend my remarks in the RECORD I include the following address by Albert Abrahamson, Maine works-progress administrator, before the Woodfords Club, at Portland, April 24, 1936:

According to the newspapers, you were addressed last month by a college dean who asked you not to blame the colleges of this country for the activities of "brain trusters" recruited from their faculties. When I read the story I was reminded of the famous sign always posted in the saloons and dance halls of early western communities. In bold, black letters over the piano there was this request, "Don't shoot the piano player; he's doing the best he can."

Since Dean Marriner made his speech there has been a bull market in "brain trusters." The Republican Party, after building up a good issue of opposition to "visionary, inexperienced, impractical professors", has now a "brain trust" of its own. Its leader is a former student of Felix Frankfurter. Two of its members are retired Harvard professors. Another—and please keep this secret—once campaigned for a Socialist candidate for the board of aldermen in Buffalo. What is most significant of all, however, is that all the members of the Republican "brain trust" are being paid at least \$200 per week. I confidently predict that little boys will soon transfer their ambitions from wanting to be President to wanting to be an economics professor.

It is a real pleasure to appear before the Woodfords Club. While I know nothing about your organization, I do know Mr. Mathes, your president, who is director of finance and reports for the Maine W. P. A. He is doing a thorough, efficient, and gratifying job. If Government service could always be blessed with the services of persons like Mr. Mathes, there would be far less complaint about the lack of efficiency and integrity in public life. Of course, there are complaints about Mr. Mathes. I am repeatedly told that he is a Republican. But who am I to take such a complaint seriously? I am accused not only of being a Republican but, in addition, I have been called many other names, which I shall not repeat.

My subject tonight is the works program. I intend to sketch briefly the background of the program and the way it is working out in Maine.

One cannot start such a discussion without again calling attention to the most troublesome tendency in the current economic scene—increased industrial production does not bring with it increased industrial employment. This tendency has serious implications. According to the March survey of business, recently released by the American Federation of Labor, "When production outstrips buying power, sooner or later the increase in production must stop for want of a market. When this happens men are laid off, profits decline, and depression follows. It is important for labor to recognize that the next depression begins here and now, while we are recovering from the last."

At the turn of the year I took an economist's holiday, and spent a great deal of time reading the business reviews of the year 1935, published in newspapers and magazines. A man from Mars might have thought all was well—until he looked at the figures on employment and unemployment. Production had been increasing in almost every line—in heavy as well as light industries and in consumers' goods as well as producers' goods. Some industries, indeed, showed the greatest production ever. The construction industry, regarded by many observers as the most important index, showed gratifying progress. Corporate profits increased in 1935 by an estimated 47 percent, and were reflected in a booming stock market. All along the economic front there was and is apparent prosperity. I say "apparent prosperity" advisedly, for, in my opinion, there is no real prosperity as long as approximately 10,000,000 people are without jobs and derive their support from their own reserves, from family and friends, or from organized charity—either public or private.

What is prosperity, anyway? Have we ever really experienced it? Many persons now yearn for the good old days of 1929 as if economic conditions at that time were ideal. Yet there is abundant evidence that in 1929 there were many economic sections unblest by good times. Farmers as a group were certainly not prosperous in 1929. The New England textile industry was having its difficulties even before processing taxes and unionization were introduced. The bituminous-coal industry was definitely sick. Several millions were unemployed throughout the country in 1929, even though no one knew or cared how many. Additionally millions of families, although employed, were existing on incomes far below the amounts believed necessary to yield a decent standard of living.

In 1929 several skeptical writers investigated the genuineness of our prosperity. Some of you may recall Stuart Chase's *Prosperity: Fact or Myth*, a popularization of several more serious studies, including *Recent Economic Changes* and *Middletown*. In this book Chase proved rather conclusively that prosperity was distinctly an unevenly distributed state, both geographically and by economic groups. There was another significant book written a bit earlier by Miss Clinch Calkins. It was called *Some Folks Won't Work*, the title being a repetition of a comment frequently made by persons when they were informed of the fact several millions were out of work. Miss Calkins showed definitely that prosperity did not mean employment for all, and that in most instances unemployment was not a voluntary state, but a form of economic slavery imposed by a chaotic business organization. The conclusion seems fairly clear that prosperity, 1929 model, was no economic paradise for millions of our citizens. We were, of course, better off than any other country, but we were still far removed from the standard of living to be expected in a country overflowing with the milk of natural resources and the honey of human ingenuity.

If prosperity in 1929 had faults, they were at least below the surface. But our 1936 prosperity shows its fundamental weakness so that all may see. Our present joblessness is more acute, more evident, and more hopeless. Until quite recently it was hoped that recovery in production would be accompanied by the absorption of most of the jobless. Yet we have the restored production, and we still have the bulk of our unemployment. Optimists speak glibly of "natural forces" bringing about reemployment and want nothing more than a prolonged "breathing spell." Realists are concerned lest the breathing spell become a sinking spell, and wonder whether there will ever be substantial reemployment.

No one denies that increased automobile production means more employment in Detroit, or that employment in general improves with increased production. The trouble is that there is not enough absorption. And the reasons are fairly apparent.

1. Much of our present employment is described by the high-sounding word "technological." Business, seeking profit, has always been anxious to produce cheaply. Labor cost is a large part of the cost of production. Machines have displaced expensive labor. Workers have been taught methods of speeding production. The net result is invariably fewer employment opportunities. Let me be specific. Raymond Clapper, writing in the *New York World-Telegram*, recently says:

"During a private discussion of unemployment here this week Senator GUFFEY, of Pennsylvania, said the steel industry is spending millions of dollars installing labor-saving machinery.

"Take the new strip-sheet steel mills being erected around Pittsburgh. The old-type mill using hand labor needed a force of 375 men working around the clock. They could produce 60,000 tons a year. The new-type mill needs only 126 men—one-third as



many. It will produce as much in a month as the old-type mill in a year.

"This isn't a move to increase capacity. The industry has been operating at less than 50 percent capacity. It never has operated at full capacity. Obviously, the purpose of these improved installations is not to produce more steel but to use fewer men.

"The National Industrial Conference Board says that if industrial activity reaches the 1929 level again it will absorb only about one-third of the unemployed. So where are we getting?"

All of us can add further illustrations. We know the effects of the dial telephone in reducing work opportunities for girls. We know that talking movies and the radio threw thousands of musicians out of work. Mergers and consolidations are present everywhere—and generally they mean that one job grows where two jobs grew before. Industries still flit about New England, bringing booms to some sections, and leaving others in distress. Nationally, industries also move about without regard for consequences to labor.

It is possible to argue that eventually, and in the long run, such improvements mean lower prices, that lower prices mean greater consumption, and that greater consumption means more jobs. This virtuous cycle is satisfactory intellectual fodder for those who think in terms of the long run. But the worker has to eat every day, and to him the long run may be long enough to result in starvation.

Two. A less important cause of our present situation lies in the perfectly justifiable practice on the part of industry of dismissing its least efficient men first when hard times come. Those that remain produce more abundantly in any case, but they are also driven harder during depressions, and are aided by machines so that they produce even more. The reabsorption of the least efficient is consequently postponed. This aggravates the problem. It also offers hope that a sudden increase in production will absorb large numbers, for a doubling of production will necessitate more than a doubling of workers, since the workers added are admittedly less efficient. This boom in production is, some hope, just around that eternal corner.

Three. A further reason for the swelling of the numbers of the unemployed arises from the fact each year since 1929, 600,000 persons have grown up and become available in the labor market at a time when the demand for labor was falling. Between 4,000,000 and 5,000,000 persons have thus been added to the toll taken by technology and depression. These young people present a peculiarly distressing situation. They have neither skill nor economic background. A special effort is being made to meet their problems through the National Youth Administration, which derives its funds from the \$4,800,000,000 Emergency Relief Appropriation Act of 1935.

These factors account in part, I believe, for our present state of jobless prosperity. There used to be complaints about "profitless prosperity", but our present situation strikes me as infinitely worse. And this leads us to the next problem: What can be done about it?

2. I envy those simple souls who would leave the unemployed alone and rely upon the functioning of brutal laws of economic survival and upon the hope that private industry will eventually absorb the relatively few worthy unemployed. Most of the unemployed are shiftless, it is claimed, and they should be left alone. The proponents of such a policy will never admit that this means distress to the point of starvation, that it means the application of economic survival principles long since abandoned by civilized persons in the fields of physical health, and that it means punishing persons who are in trouble through no fault of their own. We care for the physically sick—or, at least, we make the effort with the admittedly imperfect instruments at our command. Is not economic distress fully as worthy of society's attention? I do not think there is need of arguing at any length about its desirability. I suggest that you consider what would happen if we were to stop all forms of relief to the unemployed and then decide for yourselves whether this is the proper policy in an allegedly civilized era.

Many of you probably feel that while a pure laissez-faire attitude is unthinkable, the problem can best be handled through private charity and local governmental aid. However much this approach may be preferred in normal times, it seems to be fairly clear that at the present time neither private charity nor local units of government have the resources to perform the task. Certainly the overwhelming evidence that comes to me from Maine communities is that even with Federal aid there are not enough resources to meet the demands. There is hardly a community in the State that does not constantly ask for more assistance. I suspect that this is inevitable; that no matter how much the Federal Government does, no matter what its rules and regulations are, no matter how thoroughly a relief load is absorbed, there will always be disgruntled local officials asking for more. And it is quite amazing to read those letters which complain in one sentence at the tyranny and stupidity of Federal aid and in the very next sentence ask for more of it.

There is a further suggestion for handling relief through what is commonly called the Federal dole. This theory is widely held, and some of my best friends are constantly presenting it to me. This school of thought admits that men suffer in times like these. It admits that society has a responsibility. It doubts that private industry, private charity, and local governments can do much at the moment. Admitting all this, it nevertheless insists that the cost of Federal relief be kept at a minimum. People should be

fed, clothed, and housed in extremely modest fashion. They should, furthermore, remain at home and wait for the revival of private industry.

The chief argument in favor of this plan is its apparent cheapness in a money sense. Against such a policy may be suggested the tremendous loss in both human and money costs. Direct relief means a complete demoralization of individual and family life. It involves a tremendous waste of human resources and skills. Here are millions of men, many of whom are able, eager, and skilled. Here, at the same time, are jobs to be done. Roads, bridges, parks, sidewalks, and playgrounds need repair and await construction. Precious historical documents need preservation and analysis. Challenging problems demand investigation. Why not join the manpower and the social needs? For a little more than the cost of the dole, society will derive unquestioned advantages and individuals will acquire, retain, and improve invaluable skills and abilities. And the cost of the results is the amount by which the expenditure for such a program exceeds the cost of direct aid.

This is the theory behind the Federal works program. How has the program been applied in Maine?

3. The works program of the Roosevelt administration was designed to give employment to 3,500,000 employable persons who have been so wounded by the depression that they have been forced to accept public relief. Actually the number employed under the program reached 3,800,000 at one time. It is assumed that the local governments and private charity, while unable to care for all the unfortunates, will nevertheless care for all the unemployables and some of the employables. It is also intended that persons who still have savings, or other means of support, will yield to those who had reached the end of their resources. I emphasize these points, for there is much misunderstanding as to why some unemployed received employment while others do not. The attempt has been made to care only for the most extreme cases. In doing this, elaborate machinery set up under Maine E. R. A. for investigation as to the needs of applicants. The results of these investigations were made available to W. P. A., and the list of eligibles comes from this source.

The Emergency Relief Appropriation Act of 1935 allotted \$4,800,000,000 to care for these 3,500,000 persons for a year. Because of delay in transition from earlier programs, some of this money was given to E. R. A. in the several States to continue that program until the works program began to function. The rest of the money has been given to various agencies by a board of allotment headed by President Roosevelt. To avoid the complications of vast sums, I shall confine my discussion of the program to Maine.

W. P. A. has two distinct functions: (1) It has charge of coordinating and planning the activities of all the agencies using funds from the act; (2) it operates projects of its own where other agencies have not absorbed the relief load. In Maine we keep one eye on the certified relief load and the other on the labor demands of agencies (like Quoddy or the Resettlement Administration) operating under the act. Where there are gaps we devise projects of our own within the limits of our funds.

Thus far approximately \$28,000,000 of the \$4,800,000,000 has been allotted to Maine. Of this sum, \$4,000,000 went to E. R. A. This left \$24,000,000 for the works program proper. The allotments by agencies have been roughly as follows:

Agency	Sum	Percentage
War Department (Quoddy).....	\$7,000,000	29
Works Progress Administration (including \$2,000,000 for flood).....	6,000,000	25
Bureau of Public Roads.....	4,000,000	17
Civilian Conservation Corps.....	4,000,000	17
Public Works Administration.....	1,000,000	4
Resettlement Rehabilitation.....	1,000,000	4
Others (Census, Department of Labor, Soil Erosion, etc.)....	1,000,000	4
Total.....	24,000,000	100

The War Department appropriation is being devoted to building Quoddy, and 2,500 persons are now employed on that project. Of this number, 1,500 are from the relief rolls. There are approximately 3,000 boys at C. C. C. camps doing sundry useful works in the field of conservation. The Bureau of Public Roads, while employing approximately 500 now, will employ between 1,500 and 2,000 in the spring, not only in the construction of roads but additionally in the elimination of grade crossings. The P. W. A. is embarking on a heavy construction program financed by combinations of loans and grants. The Resettlement Administration is developing Camden and Acadia National Parks. It is also developing park areas at Naples, Weld, Liberty, Old Town, and Edmunds. Fifteen hundred workers are already at work on these projects.

I mention these other agencies because their existence is not widely recognized at the moment, as far as providing jobs is concerned. But in a month or so they will constitute a more important part of the program. All over the State they will employ between 4,000 and 5,000 workers, most of whom will come from W. P. A. projects. In accordance with our attitude that we are in no sense first claimants on the labor supply, we are glad to terminate our own projects when the labor on them is demanded by other agencies operating under the act.



My own concern is naturally with W. P. A. projects. Approximately half our efforts are devoted to the construction and improvements of roads not cared for by other programs. The remainder of our men and money is being applied to other projects, including the improvement and construction of sidewalks, sewers, playgrounds, and airports. Recognizing the importance to Maine of its tourist trade, we are continuing work on the largest fish hatchery in the world at Gray and a fish ladder at Veazie. For unskilled women our typical project is a sewing room, with the product going to those in distress. The distribution of such material, as well as of other surplus commodities furnished by the Federal Surplus Relief Corporation, is in the hands of the State department of health and welfare.

Occasionally we are able to build structures like the Community Building in Rockland, now under construction. We are also building a tourist-information building in Portland. Our ability to do this depends on the extent to which materials are contributed by the sponsors and the availability of skilled laborers, for with us there is always present the necessity of maximizing employment. If large sums are spent for materials, there is less remaining for wage payment.

The recent flood has given us a new field of usefulness. When the flood came 2,000 W. P. A. workers were engaged in efforts to save life and property and to meet emergency conditions engendered by flood. Now we are swinging into permanent repair and replacement of public property damaged by flood. Two million dollars have been allotted for this purpose, and since we have already submitted projects over this sum, another million is being made available. Already 23 projects, employing 660 persons, are in operation, and we will shortly enlarge our activities. In all road and bridge projects we are in close contact with the State highway department.

The flood changed our program radically. Previously our main concern was with the labor supply, and we devised projects to provide employment for a particular group. Now we have a job to do, and we must find the labor. Because of this, we are empowered, when necessary, to go beyond the relief rolls to obtain the proper personnel.

Such projects answer in part the problem of the manual laborer—both skilled and unskilled. But what about the person who normally works with his brain or who applies highly developed technical skills? It is quite the fashion now to ridicule white-collar projects. Yet to me the development of projects for this class constitutes one of the most gratifying sections of our work. There is great dismay in finding an accountant digging ditches because he felt that he could not get work if he applied as an accountant. And there is a genuine satisfaction in transferring such a man to a white-collar project and enabling him to work in his regular field. This incident has actually taken place, and is not isolated. Nor is it confined to men. Trained women have been taken from sewing rooms and put at work more in harmony with their background and training.

The latest figures available show that approximately 1,000 men and women are at work on white-collar projects. Because this work strikes me as extremely important, I should like to tell you what is being done. One hundred and twenty-one trained musicians are giving concerts from time to time throughout the State. Twelve artists are engaged in various projects. Some of them are working in conjunction with the safety campaign now being conducted by the State of Maine. One of them is painting a mural based on Mother Goose at the Children's Hospital in Portland. Another recently completed the painting of a clipper ship which was presented to Rockland High School. There is also a group of 37 actors, giving performances at C. C. C. camps and other public and quasi-public institutions. All of these persons were selected carefully after impartial groups had passed on their professional qualifications. They are not amateurs, but qualified persons who normally earn their livings at the several callings.

There is also a writers' project of 67 which is engaged in preparing part of a national guidebook to be published later. The history and attractions of Maine will be presented in it as a direct result of this project, and there will also be a byproduct of material that will be useful for local and State purposes.

The Maine State Planning Board is enabled to continue its work under our program, and 30 members of its staff are paid from W. P. A. funds. A survey of Federal archives is being conducted, and 50 Maine persons are participating. The Bureau of Labor Statistics is employing 26 people to make a study of consumption of goods in Portland. There are 162 persons engaged in educational projects, including nursery schools, literacy classes, and adult education.

All through the State, finally, approximately 150 persons are at work on projects sponsored locally. These include research into town records, the survey of property, and other works which have been requested by the local officials concerned.

In this field, as in others, we are making every possible effort to fuse the labor supply, its peculiar skills, and the needs of the State into a product that will be of greatest value to all concerned. Naturally, we have our problems and our difficulties. Civil wars break out in towns over the problem of who shall be timekeeper on a project. Sponsors are rarely satisfied and always ask for more. There is present that small fringe that is on the lookout for an opportunity to chisel and cheat. In moments of despair we wonder whether anything we do is right. But we try to do what we think is fair and honorable, fully realizing that universal approbation

and satisfaction are luxuries reserved for persons other than those administering relief.

I have tried to give you some idea of what we are doing and why we are doing it. In general, the plan and program seem worth while. Not unmindful of its shortcomings, I suggest that if you "know of a better 'ole, go to it."

4. What of the future of relief? The present program will be over in large part by June 30. What then? And what about the next year? The answer to these questions depends, of course, on what Congress does to the suggestions made by President Roosevelt. All we can do is make a few comments based on the facts of economic life about us.

The first fact is that Federal aid in some form must continue at least for the next few years. Private industry, the States, and the localities are not yet in a position to assume the burden. I do not believe that the next administration can ignore the demands for Federal aid in 1937. Whether the next President is Mr. Roosevelt, or a Republican, or a Socialist, Federal relief will go on. Republican candidates may talk about Budget balancing, but they will not deny the reality of the human suffering that is inevitable without some form of Federal aid.

While positive of the need for Federal aid, I am willing to admit that the sort of aid and its amount are open to doubt and discussion. As to the type of program, my own feeling is that the sort of thing now being done by W. P. A. is a relatively happy solution. But I can see the validity of the claims, both of those who want direct relief—the dole—and of those who want large, expensive, monumental projects. In both theory and expense the present program is a compromise between these two.

As to the extent of Federal aid, I expect eventual contraction, with a gradual lightening of the burden to the Federal Government. I look forward to some relief from the social-security legislation, which will probably need modification, and from the gradual assumption on the part of the States and localities of their predepression activities in the field of relief. But these are only expectations. What will actually take place depends, of course, on answers given to more fundamental questions. Are we going back to laissez-faire, and economic liberty? Or are we to move in the direction of conscious social control over economic and social activity? Or, more probably, are we to continue to try combinations of both? The final answer to these questions is just one more of those sweet mysteries of life.

#### ATTORNEY FEES

Mr. COSTELLO. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by inserting therein a letter from Judge Green, of the United States Court of Claims, concerning attorneys' fees in cases before that court.

The SPEAKER. Is there objection?

There was no objection.

Mr. COSTELLO. Mr. Speaker and Members of the House, through inadvertence, certain remarks appearing in the daily RECORD, at page 7725, concerning the allowance of attorney fees have been attributed to me, although I was not the author of those remarks. It has always been my policy to make certain that the attorney fees granted in any private bill on the calendar should be maintained at a minimum and at no time should they exceed 10 percent. I have adopted this policy not only because it is in keeping with the custom of the House but also because it is my opinion that when the Congress is granting relief to an individual due to loss or damages sustained, then such relief should be given to the beneficiary in its entirety as far as possible.

In order that the Members may be informed as to the policy of the Court of Claims in the matter of granting fees to attorneys, I am inserting the letter of Judge William R. Green, which letter was addressed to me in this connection. The statement to which the letter refers was made by another Member of the House upon information which he had received and which he believed to be correct. The letter follows:

UNITED STATES COURT OF CLAIMS,  
Washington, D. C., May 20, 1936.

Hon. JOHN M. COSTELLO,

House Office Building, Washington, D. C.

MY DEAR Mr. COSTELLO: I notice in today's RECORD that you made a statement at yesterday's session of the House that it was the practice and custom of the Court of Claims to allow a 20-percent attorney's fee, referring to cases in which judgment was awarded.

I have no doubt that you made this statement upon information which you considered absolutely reliable. Nevertheless, it is erroneous. The Court of Claims has no authority to allow any attorney fees whatever except in cases where a case is referred to it by bill and the bill specially authorizes the court to allow attorney fees. This does not happen in 1 case in 500, probably out of



the cases of all kinds before the court in one in a thousand. I have no recollection of such a provision being made in any except in some Indian cases. Even then nothing over 10 percent is allowed. The chief justice, who has been on the bench 30 years, informs me that he does not know of any case in which more than 10 percent was allowed and that in most of them the amount allowed was less.

Thinking that you would like to know the exact facts in the matter, I am writing this letter.

Very respectfully yours,

WM. R. GREEN.

#### ADJOURNMENT OVER

Mr. BANKHEAD. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Monday next.

The SPEAKER. Is there objection?

There was no objection.

#### LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. BUCK, for 1 day, on account of official business.

To Mr. DEEN, for the balance of the week, on account of illness.

To Mr. CURLEY, for 5 days, on account of important business.

To Mr. DUNN of Mississippi, for 3 weeks, on account of important business.

To Mr. DRISCOLL, for 2 days, on account of important business.

To Mr. WOOD, indefinitely, on account of important business.

#### SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 925. An act to carry into effect the findings of the Court of Claims in the case of William W. Danenhower; and

S. 1360. An act for the relief of the estate of Teresa de Prevost.

#### ADJOURNMENT

Mr. BANKHEAD. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 30 minutes p. m.) the House, under its previous order, adjourned until Monday, May 25, 1936, at 12 o'clock noon.

#### EXECUTIVE COMMUNICATIONS, ETC.

851. Under clause 2 of rule XXIV a letter from the Secretary of State, transmitting a translation of a letter dated March 20, 1936, addressed to The Honorable Congress of the United States of North America, by the Commission of the Mexican Library of Congress, in which the commission requests the cooperation of the Congress of the United States, was taken from the Speaker's table and referred to the Committee on Foreign Affairs.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. WILSON of Louisiana: Committee on Flood Control. H. R. 12416. A bill to authorize funds for the prosecution of works for flood control against flood disasters along the Battenkill in New York; with amendment (Rept. No. 2737). Referred to the Committee of the Whole House on the state of the Union.

Mr. WILSON of Louisiana: Committee on Flood Control. H. R. 12418. A bill to authorize funds for the prosecution of works for flood control against flood disasters along the Mettowie River in New York; with amendment (Rept. No. 2738). Referred to the Committee of the Whole House on the state of the Union.

Mr. WILSON of Louisiana: Committee on Flood Control. H. R. 12458. A bill authorizing a preliminary examination of the Intracoastal Waterway throughout Broward County, Fla.; without amendment (Rept. No. 2739). Referred to the Committee of the Whole House on the state of the Union.

Mr. WILSON of Louisiana: Committee on Flood Control. H. R. 12490. A bill authorizing a preliminary survey examination of the Levisa Fork of Big Sandy River in the vicinity of the Breaks of Sandy; with amendment (Rept. No. 2740). Referred to the Committee of the Whole House on the state of the Union.

Mr. WILSON of Louisiana: Committee on Flood Control. H. R. 12509. A bill providing for a survey of the Colorado River, Tex., above the county line between Coke and Runnels Counties; with amendment (Rept. No. 2741). Referred to the Committee of the Whole House on the state of the Union.

Mr. WILSON of Louisiana: Committee on Flood Control. H. R. 12554. A bill authorizing an examination and survey of the Black and Moose Rivers and their tributaries in Herkimer, Lewis, Jefferson, Oneida, and Hamilton Counties, N. Y.; with amendment (Rept. No. 2742). Referred to the Committee of the Whole House on the state of the Union.

Mr. SMITH of Virginia: Committee on Rules. House Resolution 522. Resolution providing for the consideration of H. R. 12027; without amendment (Rept. No. 2743). Referred to the House Calendar.

Mr. BLAND: Committee on Merchant Marine and Fisheries. H. R. 12734. A bill to amend an act entitled "An act to distribute the commissioned line and engineer officers of the Coast Guard in grades, and for other purposes", approved January 12, 1923; without amendment (Rept. No. 2744). Referred to the Committee of the Whole House on the state of the Union.

Mr. SCHULTE: Committee on the District of Columbia. S. 3514. An act to regulate the manufacturing, dispensing, selling, and possession of narcotic drugs in the District of Columbia; with amendment (Rept. No. 2745). Referred to the Committee of the Whole House on the state of the Union.

Mrs. NORTON: Committee on the District of Columbia. H. R. 12355. A bill to authorize wrestling in the District of Columbia, and for other purposes; with amendment (Rept. No. 2747). Referred to the Committee of the Whole House on the state of the Union.

Mrs. NORTON: Committee on the District of Columbia. H. R. 12495. A bill to amend an act entitled "An act to provide for vocational rehabilitation of disabled residents of the District of Columbia, and for other purposes" (Public, No. 801, 70th Cong.); without amendment (Rept. No. 2748). Referred to the Committee of the Whole House on the state of the Union.

Mrs. NORTON: Committee on the District of Columbia. H. R. 12532. A bill to authorize the furnishing of steam from the Central Heating Plant to the District of Columbia; without amendment (Rept. No. 2749). Referred to the Committee of the Whole House on the state of the Union.

Mrs. O'DAY: Committee on Immigration and Naturalization. H. R. 12762. A bill to extend the definition of an alien veteran, for naturalization purposes only, so as to include certain alien enemies and nationals of Turkey and Bulgaria who rendered active service in United States armed forces with personal record of loyalty to the United States, and for other purposes; with amendment (Rept. No. 2750). Referred to the Committee of the Whole House on the state of the Union.

Mrs. NORTON: Committee on the District of Columbia. House Joint Resolution 588. Joint resolution for the designation of certain streets or avenues in the Mall as Ohio, Missouri, Oklahoma, and Maine Avenues; without amendment (Rept. No. 2751). Referred to the House Calendar.

Mr. CARPENTER: Committee on the District of Columbia. S. 3976. An act to amend the act approved February 27, 1931, known as the District of Columbia Traffic Act; without amendment (Rept. No. 2752). Referred to the House Calendar.

Mr. SABATH: Committee on Rules. House Resolution 523. Resolution providing for the consideration of H. R. 8442; without amendment (Rept. No. 2753). Referred to the House Calendar.



Mr. DOXEY: Committee on Agriculture. H. R. 5168. A bill authorizing the Secretary of Agriculture to convey certain lands to the Maryland-National Capital Park and Planning Commission, of Maryland, for park purposes; with amendment (Rept. No. 2754). Referred to the Committee of the Whole House on the state of the Union.

Mr. CHAPMAN: Committee on Interstate and Foreign Commerce. S. 5. An act to prevent the adulteration, misbranding, and false advertising of food, drugs, devices, and cosmetics in interstate, foreign, and other commerce subject to the jurisdiction of the United States, for the purposes of safeguarding the public health, preventing deceit upon the purchasing public, and for other purposes; with amendment (Rept. No. 2755). Referred to the Committee of the Whole House on the state of the Union.

Mr. COLDEN: Committee on Disposition of Executive Papers. House Report 2756. Report on the disposition of executive papers in the Post Office Department. Ordered to be printed.

Mr. COLDEN: Committee on Disposition of Executive Papers. House Report 2757. Report on the disposition of executive papers in the War Department. Ordered to be printed.

Mr. COLDEN: Committee on Disposition of Executive Papers. House Report 2758. Report on the disposition of executive papers in the Department of Agriculture. Ordered to be printed.

Mr. COLDEN: Committee on Disposition of Executive Papers. House Report 2759. Report on the disposition of executive papers in the Treasury Department. Ordered to be printed.

Mr. COLDEN: Committee on Disposition of Executive Papers. House Report 2760. Report on the disposition of executive papers in the United States Employees' Compensation Commission. Ordered to be printed.

Mr. COLDEN: Committee on Disposition of Executive Papers. House Report 2761. Report on the disposition of executive papers in the Federal Reserve Board. Ordered to be printed.

Mr. COLDEN: Committee on Disposition of Executive Papers. House Report 2762. Report on the disposition of executive papers in the Department of Commerce. Ordered to be printed.

Mr. COLDEN: Committee on Disposition of Executive Papers. House Report 2763. Report on the disposition of executive papers in the United States Veterans' Bureau. Ordered to be printed.

Mr. COLDEN: Committee on Disposition of Executive Papers. House Report 2764. Report on the disposition of executive papers in the Federal Trade Commission. Ordered to be printed.

Mr. COLDEN: Committee on Disposition of Executive Papers. House Report 2765. Report on the disposition of executive papers in the Civil Service Commission. Ordered to be printed.

Mr. COLDEN: Committee on Disposition of Executive Papers. House Report 2766. Report on the disposition of executive papers in the Department of State. Ordered to be printed.

#### REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mrs. NORTON: Committee on the District of Columbia. H. R. 11522. A bill to amend the charter of the National Union Insurance Co. of Washington in the District of Columbia; with amendment (Rept. No. 2746). Referred to the Committee of the Whole House.

Mr. EVANS: Committee on Claims. H. R. 10876. A bill for the relief of Adele Fowlkes; with amendment (Rept. No. 2767). Referred to the Committee of the Whole House.

Mr. TOLAN: Committee on Claims. H. R. 8418. A bill for the relief of the estate of Catherine Harkins, deceased; with amendment (Rept. No. 2768). Referred to the Committee of the Whole House.

Mr. SMITH of Washington: Committee on Claims. H. R. 8274. A bill for the relief of Bertha M. Harris; with amendment (Rept. No. 2769). Referred to the Committee of the Whole House.

Mr. RYAN: Committee on Claims. H. R. 11869. A bill for the relief of William L. Jenkins; without amendment (Rept. No. 2770). Referred to the Committee of the Whole House.

Mr. RYAN: Committee on Claims. H. R. 11860. A bill to provide an additional sum for the reimbursement of certain officers and enlisted men of the Navy and Marine Corps for personal property lost, damaged, or destroyed as a result of the earthquake which occurred at Managua, Nicaragua, on March 31, 1931; without amendment (Rept. No. 2771). Referred to the Committee of the Whole House.

Mr. SEGER: Committee on Claims. H. R. 11863. A bill for the relief of Clark F. Potts and Charles H. Barker; without amendment (Rept. No. 2772). Referred to the Committee of the Whole House.

Mr. BEITER: Committee on War Claims. H. R. 10504. A bill for the relief of Booth & Co., Inc., a Delaware corporation; without amendment (Rept. No. 2773). Referred to the Committee of the Whole House.

Mr. BEITER: Committee on War Claims. H. R. 12311. A bill for the relief of the P. L. Andrews Corporation; without amendment (Rept. No. 2774). Referred to the Committee of the Whole House.

#### PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BLOOM: A bill (H. R. 12827) to prescribe the effective date of naturalization in certain cases; to the Committee on Immigration and Naturalization.

By Mr. DUNN of Pennsylvania: A bill (H. R. 12828) to provide a pension of \$60 per month for all men and women in the United States and its possessions who have attained the age of 55 years and whose incomes are less than \$1,200 per year; to the Committee on Ways and Means.

By Mr. BACON: A bill (H. R. 12829) to extend the civil-service merit system by placing the position of postmaster in first-, second-, and third-class offices in the competitive classified service; to provide for promotion within the Postal Service to the position of postmaster as a reward for merit, and for other purposes; to the Committee on the Civil Service.

By Mr. GILLETTE: A bill (H. R. 12830) to amend the act of May 17, 1910, entitled "An act to establish a permanent Commission of Fine Arts"; to the Committee on the Library.

By Mr. KOPPLEMANN: A bill (H. R. 12831) to authorize the coinage of 50-cent pieces in commemoration of the three hundredth anniversary of the founding of Hartford, Conn.; to the Committee on Coinage, Weights, and Measures.

By Mr. SMITH of West Virginia: A bill (H. R. 12832) to authorize the disposition of the naval ordnance plant, South Charleston, W. Va., and for other purposes; to the Committee on Naval Affairs.

By Mr. SUTPHIN: A bill (H. R. 12833) to assure to persons within the jurisdiction of every State, the equal protection of the laws, by discouraging, preventing, and punishing the crime of lynching; to the Committee on the Judiciary.

By Mr. TOLAN: A bill (H. R. 12834) to authorize the Secretary of the Treasury to purchase the building now used as a post office in Yosemite National Park, Calif.; to the Committee on Public Buildings and Grounds.

By Mr. SCOTT: A bill (H. R. 12835) to provide financial assistance to the States and political subdivisions thereof, to the District of Columbia, or any Territory of the United States for the elimination of slums, for the construction of decent, safe, and sanitary dwellings at low rentals for families of low income, and for the reduction of unemployment and the stimulation of business activity, and for other purposes; to the Committee on Ways and Means.



## MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of Massachusetts regarding the permission into this country of persons discriminated against in Germany; to the Committee on Immigration and Naturalization.

Also, memorial of the Legislature of the State of Massachusetts favoring the establishment of a permanent Civilian Conservation Corps; to the Committee on Labor.

## PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. McCORMACK: A bill (H. R. 12836) for the relief of Katherine M. Devenny; to the Committee on Claims.

By Mr. THURSTON: A bill (H. R. 12837) for the relief of Effie Garton; to the Committee on Claims.

By Mr. WHITE: A bill (H. R. 12838) for the relief of Ida A. Gunderson and her three minor daughters; to the Committee on Claims.

## PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

10951. By Mr. CROWTHER: Petition of citizens of Amsterdam, N. Y., requesting favorable action on House bill 11609; to the Committee on Interstate and Foreign Commerce.

10952. By Mr. KENNEY: Resolution adopted by the Truckmen's Store Door Committee of New York, memorializing the President, Members of Congress, Secretary of Labor, Interstate Commerce Commission, and the American Federation of Labor to repeal door-to-door delivery; to the Committee on Interstate and Foreign Commerce.

10953. Also, resolution of the Eastern Bergen Italo-American Independent Club, Fort Lee, N. J., favoring the adult-education program at their meeting on May 15; to the Committee on Education.

10954. By Mr. KOCIALKOWSKI: Petition of the City Council of the City of Chicago, favoring the enactment of the United States Housing Act of 1936 (S. 4424 and H. R. 12164); to the Committee on Banking and Currency.

10955. By Mr. KOPPLEMANN: Petition of residents of Hartford County, Conn., asking immediate construction by the Federal Government of the comprehensive system of flood-control dams for the Connecticut Valley, recommended by Army Engineer Corps; Federal Government survey of Connecticut River to determine what measures are to provide for the improvement of the run-off in times of flood and for restoring and raising necessary dikes; to the Committee on Flood Control.

10956. By Mr. KRAMER: Resolution of the Central Labor Council of Alameda County, relative to danger to miners from silica dust and urging Federal laws to prevent further disaster as that which occurred at Gauley Bridge, W. Va., etc.; to the Committee on Mines and Mining.

10957. By Mr. McCORMACK: Memorial of the General Court of Massachusetts, memorializing the President and Congress of the United States in favor of the permanency of the Civilian Conservation Corps; to the Committee on Labor.

10959. By Mr. PATMAN: Petition of H. B. Williams and 13 others, voicing 100-percent approval of the Townsend pension plan; to the Committee on Ways and Means.

10960. Also, petition of W. S. Chance and 12 others, voicing 100-percent approval of the Townsend pension plan; to the Committee on Ways and Means.

10961. By the SPEAKER: Petition of the Bookkeepers', Stenographers', and Accountants' Union, No. 12646, American Federation of Labor; to the Committee on Banking and Currency.

10962. Also, petition of the International Longshoremen's Association, Local No. 231; to the Committee on the Judiciary.

10963. Also, petition of the city of Youngstown, Ohio; to the Committee on Banking and Currency.

10964. Also, petition of the city of Youngstown, Ohio; to the Committee on Education.

## SENATE

MONDAY, MAY 25, 1936

(Legislative day of Tuesday, May 12, 1936)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

## THE JOURNAL

On request of Mr. ROBINSON, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Thursday, May 21, 1936, was dispensed with, and the Journal was approved.

## MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Latta, one of his secretaries.

## CALL OF THE ROLL

Mr. LEWIS. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Clark	Holt	Overton
Ashurst	Connally	Johnson	Pittman
Austin	Coolidge	Keyes	Pope
Bachman	Copeland	King	Radcliffe
Bailey	Couzens	La Follette	Reynolds
Barkley	Davis	Lewis	Robinson
Benson	Dieterich	Loneragan	Russell
Bilbo	Donahey	Long	Schwellenbach
Black	Duffy	McAdoo	Sheppard
Bone	Fletcher	McGill	Shipstead
Borah	Frazier	McKellar	Smith
Brown	George	McNary	Steiwer
Bulkley	Gerry	Maloney	Thomas, Utah
Bulow	Gibson	Metcalf	Townsend
Burke	Glass	Minton	Truman
Byrd	Guffey	Murphy	Tydings
Byrnes	Hale	Murray	Vandenberg
Capper	Harrison	Neely	Van Nuys
Caraway	Hastings	Norris	Walsh
Carey	Hatch	Nye	Wheeler
Chavez	Hayden	O'Mahoney	White

Mr. NEELY. Mr. President, I have been requested to announce that the Senator from Alabama [Mr. BANKHEAD], the Senator from Colorado [Mr. COSTIGAN], and the Senator from Nevada [Mr. McCARRAN] are absent because of illness, and that the junior Senator from Oklahoma [Mr. GORE], the Senator from Kentucky [Mr. LOGAN], the Senator from New Jersey [Mr. MOORE], the senior Senator from Oklahoma [Mr. THOMAS], and the Senator from New York [Mr. WAGNER] are unavoidably detained from the Senate.

Mr. AUSTIN. I announce that the Senator from Iowa [Mr. DICKINSON] and the Senator from New Jersey [Mr. BARBOUR] are necessarily absent.

The VICE PRESIDENT. Eighty-four Senators have answered to their names. A quorum is present.

## MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Haltigan, one of its reading clerks, announced that the House had passed without amendment the following bills of the Senate:

S. 3118. An act to provide for the creation of the Perry's Victory and International Peace Memorial National Monument, on Put-in-Bay, South Bass Island, in the State of Ohio, and for other purposes; and

S. 4448. An act to authorize the coinage of 50-cent pieces in commemoration of the one hundred and fiftieth anniversary of the issuance of the charter to the city of Lynchburg, Va.

The message also announced that the House had passed the following bills of the Senate, each with amendments, in which it requested the concurrence of the Senate: